

A bill for an act

relating to natural resources; modifying aquaculture provisions; modifying disposal restrictions for certain livestock taken by wild animals; modifying provisions for taking, possessing, and transporting wild animals; modifying requirements for fish and wildlife management plans; modifying game and fish provisions; modifying game and fish license requirements and fees for youths; increasing certain fishing license fees; modifying certain requirements for invasive species control; modifying certain administrative accounts; modifying electronic transaction provisions; providing for certain registration exemptions; modifying all-terrain vehicle definitions; modifying all-terrain vehicle operation restrictions; modifying state trails and canoe and boating routes; modifying fees and disposition of certain receipts; modifying certain competitive bidding exemptions; modifying horse trail pass provisions; modifying beaver dam provisions; modifying the Water Law; modifying nongame wildlife check offs; modifying method of determining value of acquired stream easements; providing for certain historic property exemption; modifying adding to and deleting from state parks and state forests; authorizing public and private sales, conveyances, and exchanges of certain state land; providing exemptions from rulemaking and requiring rulemaking; providing criminal penalties; appropriating money; amending Minnesota Statutes 2008, sections 17.4982, subdivision 12, by adding a subdivision; 17.4991, subdivision 3; 17.4994; 35.82, subdivision 2; 84.025, subdivision 9; 84.027, subdivision 15; 84.0272, subdivision 2; 84.0856; 84.0857; 84.82, subdivision 3, by adding a subdivision; 84.92, subdivisions 9, 10; 84.922, subdivision 5, by adding a subdivision; 84.925, subdivision 1; 84.942, subdivision 1; 84D.03, subdivision 3; 84D.13, subdivision 3; 85.012, subdivision 40; 85.015, subdivision 14; 85.22, subdivision 5; 85.32, subdivision 1; 85.43; 85.46, as amended; 86B.101; 89.032, subdivision 2; 97A.015, subdivision 52, by adding a subdivision; 97A.055, subdivision 4b; 97A.101, subdivision 3; 97A.145, subdivision 2; 97A.311, subdivision 5; 97A.331, by adding subdivisions; 97A.420, subdivisions 2, 3, 4, 6, by adding a subdivision; 97A.421, subdivision 4a, by adding a subdivision; 97A.433, by adding a subdivision; 97A.435, subdivision 1; 97A.445, subdivision 5; 97A.451, subdivision 3; 97A.475, subdivisions 3a, 4, 43, 44; 97A.535, subdivision 2a; 97A.545, subdivision 5; 97B.015; 97B.020; 97B.021, subdivision 1; 97B.022, subdivision 2; 97B.031, subdivision 5; 97B.045, by adding a subdivision; 97B.075; 97B.106, subdivision 1; 97B.211, subdivision 1; 97B.301, subdivisions 3, 6; 97B.325; 97B.405; 97B.515, by adding a subdivision; 97B.601, subdivision 4; 97B.665, subdivision 2; 97B.711, by adding a subdivision; 97B.803; 97C.005, subdivision 3; 97C.087, subdivision 2; 97C.205; 97C.341; 103A.305; 103G.271,

subdivision 3; 103G.285, subdivision 5; 103G.301, subdivision 6; 103G.305, subdivision 2; 103G.315, subdivision 11; 103G.515, subdivision 5; 290.431; 290.432; Minnesota Statutes 2009 Supplement, sections 84.928, subdivision 1; 84.95, subdivision 2; 85.015, subdivision 13; 86A.09, subdivision 1; 97A.075, subdivision 1; 97A.445, subdivision 1a; 97A.451, subdivision 2; 97A.475, subdivisions 2, 3; 97B.055, subdivision 3; 97C.395, subdivision 1; 103G.201; Laws 2008, chapter 368, article 1, section 34, as amended; Laws 2009, chapter 176, article 4, section 9; proposing coding for new law in Minnesota Statutes, chapters 17; 84D; 85; 97B; 97C; 103G; repealing Minnesota Statutes 2008, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 84.942, subdivisions 2, 3, 4; 97A.435, subdivision 5; 97A.451, subdivisions 3a, 4; 97A.485, subdivision 12; 97B.022, subdivision 1; 97B.511; 97B.515, subdivision 3; 97B.665, subdivision 1; 97C.346; 103G.295; 103G.650; Minnesota Statutes 2009 Supplement, sections 3.3006; 84.02, subdivisions 4a, 6a, 6b; Laws 2009, chapter 172, article 5, section 8.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

## ARTICLE 1

### GAME AND FISH

Section 1. Minnesota Statutes 2008, section 17.4982, is amended by adding a subdivision to read:

Subd. 10a. **Fish collector.** "Fish collector" means an individual who has been certified under section 17.4989 to oversee the collection of fish samples from a facility or a water body for disease testing by a certified laboratory.

Sec. 2. Minnesota Statutes 2008, section 17.4982, subdivision 12, is amended to read:

Subd. 12. **Fish health inspection.** (a) "Fish health inspection" means an on-site, statistically based sampling, collection, and testing of fish in accordance with processes in the Fish Health Blue Book ~~for all lots of fish in a facility~~ or the Diagnostic Manual for Aquatic Animal Diseases, published by the International Office of Epizootics (OIE) to test for causative pathogens. The samples for inspection must be collected by a fish health inspector or a fish collector in cooperation with the producer. Testing of samples must be done by an approved laboratory.

(b) The inspection ~~for viral hemorrhagic septicemia (VHS), infectious pancreatic necrosis (IPN), and infectious hematopoietic necrosis (IHN) in salmonids and for VHS in nonsalmonids~~ must include at least a minimum viral testing of ovarian fluids at the 95 percent confidence level of detecting two percent incidence of disease ~~(ovarian fluids must be sampled for certification of viral hemorrhagic septicemia and infectious hematopoietic necrosis). Bacterial diseases must be sampled at the 95 percent confidence level with a five percent incidence of disease. The inspection must be performed by a fish health~~

~~inspector in cooperation with the producer with subsequent examination of the collected tissues and fluids for the detection of certifiable diseases.~~

(c) The inspection for certifiable diseases for wild fish must follow the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

Sec. 3. **[17.4989] FISH SAMPLE COLLECTING.**

Subdivision 1. **Training.** Fish collector training may be offered by any organization or agency that has had its class and practicum syllabus approved by the commissioner.

The class and practicum must include the following components:

(1) accurate identification of licensed water bodies listed according to section 17.4984 and ensuring that collection is taking place at the correct site;

(2) identification of fish internal organs;

(3) fish dissection and sample preparation as identified by the Department of Natural Resources based on specific testing requirements or as outlined in the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published by the International Office of Epizootics (OIE);

(4) recording and reporting data;

(5) sample preparation and shipping;

(6) a field collection site test to demonstrate mastery of the necessary skills, overseen by a certified fish health inspector; and

(7) a certificate of successful completion signed by a certified fish health inspector on a form provided by the commissioner.

Subd. 2. **Certification time period.** Fish collector certification is valid for five years and is not transferable. A person may renew certification only by successfully completing certification training. Certification shall be revoked if the certified person is convicted of violating any of the statutes or rules governing testing for aquatic species diseases. Certification may be suspended during an investigation associated with misconduct or violations of fish health testing and collection. The commissioner shall notify the person that certification is being revoked or suspended.

Subd. 3. **Conflict of interest.** A fish collector may not oversee the collection of fish from a facility or a water body when the collector has a conflict of interest in connection with the outcome of the testing.

Sec. 4. Minnesota Statutes 2008, section 17.4991, subdivision 3, is amended to read:

Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating ~~trout, salmon,~~ salmonids or catfish and having an effluent discharge from the aquatic farm into public

waters must have a fish health inspection conducted at least once every 12 months by a certified fish health inspector. Testing must be conducted according to ~~approved~~ the Fish Health Blue Book laboratory methods.

(b) An aquatic farm propagating any species on the viral hemorrhagic septicemia (VHS) susceptible list and having an effluent discharge from the aquatic farm into public waters must test for VHS virus using the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published by the International Office of Epizootics (OIE). The commissioner may, by written order published in the State Register, prescribe alternative testing time periods and methods from those prescribed in the Fish Health Blue Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures will not be compromised. These alternatives are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable notice to affected parties of any changes in testing requirements.

(c) Results of fish health inspections must be provided to the commissioner for all fish that remain in the state. All data used to prepare and issue a fish health certificate must be maintained for three years by the issuing fish health inspector, approved laboratory, or accredited veterinarian.

(d) A health inspection fee must be charged based on each lot of fish sampled. The fee by check or money order payable to the Department of Natural Resources must be prepaid or paid at the time a bill or notice is received from the commissioner that the inspection and processing of samples is completed.

~~(e)~~ (e) Upon receipt of payment and completion of inspection, the commissioner shall notify the operator and issue a fish health certificate. The certification must be made according to the Fish Health Blue Book by a person certified as a fish health inspector.

~~(f)~~ (f) All aquatic life in transit or held at transfer stations within the state may be inspected by the commissioner. This inspection may include the collection of stock for purposes of pathological analysis. Sample size necessary for analysis will follow guidelines listed in the Fish Health Blue Book.

~~(g)~~ (g) Salmonids and catfish must have a fish health inspection before being transported from a containment facility, unless the fish are being transported directly to an outlet for processing or other food purposes or unless the commissioner determines that an inspection is not needed. A fish health inspection conducted for this purpose need only be done on the lot or lots of fish that will be transported. The commissioner must conduct a fish health inspection requested for this purpose within five working days of receiving written notice. Salmonids and catfish may be immediately transported from a

containment facility to another containment facility once a sample has been obtained for a health inspection or once the five-day notice period has expired.

Sec. 5. Minnesota Statutes 2008, section 17.4994, is amended to read:

**17.4994 SUCKER EGGS.**

Sucker eggs may be taken from public waters with a sucker egg license endorsement; ~~which authorizes sucker eggs to be taken at a rate of one quart of eggs for each 1-1/2 acres of licensed surface waters except that for intensive culture systems, sucker eggs may be taken at a rate of two quarts per 1,000 muskellunge fry being reared~~ for the fee prescribed in section 97A.475, subdivision 29. The Taking of sucker eggs from public waters is subject to chapter 97C and may be supervised by the commissioner. The commissioner may limit the amount of sucker eggs that a person with a sucker egg license endorsement may take based on the number of sucker eggs taken historically by the licensee, new requests for eggs, and the condition of the spawning runs at those historical streams and rivers that have produced previous annual quotas.

Sec. 6. Minnesota Statutes 2008, section 35.82, subdivision 2, is amended to read:

Subd. 2. **Disposition of carcasses.** (a) Except as provided in subdivision 1b and ~~paragraph paragraphs~~ (d) and (f), every person owning or controlling any domestic animal that has died or been killed otherwise than by being slaughtered for human or animal consumption, shall as soon as reasonably possible bury the carcass at a depth adequate to prevent scavenging by other animals in the ground or thoroughly burn it or dispose of it by another method approved by the board as being effective for the protection of public health and the control of livestock diseases. The board, through its executive director, may issue permits to owners of rendering plants located in Minnesota which are operated and conducted as required by law, to transport carcasses of domestic animals and fowl that have died, or have been killed otherwise than by being slaughtered for human or animal consumption, over the public highways to their plants for rendering purposes in accordance with the rules adopted by the board relative to transportation, rendering, and other provisions the board considers necessary to prevent the spread of disease. The board may issue permits to owners of rendering plants located in an adjacent state with which a reciprocal agreement is in effect under subdivision 3.

(b) Carcasses collected by rendering plants under permit may be used for pet food or mink food if the owner or operator meets the requirements of subdivision 1b.

(c) An authorized employee or agent of the board may enter private or public property and inspect the carcass of any domestic animal that has died or has been killed

other than by being slaughtered for human or animal consumption. Failure to dispose of the carcass of any domestic animal within the period specified by this subdivision is a public nuisance. The board may petition the district court of the county in which a carcass is located for a writ requiring the abatement of the public nuisance. A civil action commenced under this paragraph does not preclude a criminal prosecution under this section. No person may sell, offer to sell, give away, or convey along a public road or on land the person does not own, the carcass of a domestic animal when the animal died or was killed other than by being slaughtered for human or animal consumption unless it is done with a special permit pursuant to this section. The carcass or parts of a domestic animal that has died or has been killed other than by being slaughtered for human or animal consumption may be transported along a public road for a medical or scientific purpose if the carcass is enclosed in a leakproof container to prevent spillage or the dripping of liquid waste. The board may adopt rules relative to the transportation of the carcass of any domestic animal for a medical or scientific purpose. A carcass on a public thoroughfare may be transported for burial or other disposition in accordance with this section.

No person who owns or controls diseased animals shall negligently or willfully permit them to escape from that control or to run at large.

(d) A sheep producer may compost sheep carcasses owned by the producer on the producer's land without a permit and is exempt from compost facility specifications contained in rules of the board.

(e) The board shall develop best management practices for dead animal disposal and the Pollution Control Agency feedlot program shall distribute them to livestock producers in the state.

(f) Paragraph (a) does not apply to livestock killed by wild animals or domestic dogs and the carcass is out-of-sight of the public, and will be used to attract the offending predators back to the kill site.

Sec. 7. Minnesota Statutes 2008, section 84.942, subdivision 1, is amended to read:

Subdivision 1. **Preparation.** The commissioner of natural resources shall prepare ~~a comprehensive fish and wildlife management plan~~ plans designed to accomplish the policy of section 84.941. ~~The comprehensive fish and wildlife management plan shall include a strategic plan as outlined in subdivision 2. The strategic plan must be completed by July 1, 1986. The management plan must also include the long-range and operational plans as described in subdivisions 3 and 4. The management plan must be completed by July 1, 1988.~~

Sec. 8. Minnesota Statutes 2009 Supplement, section 84.95, subdivision 2, is amended to read:

Subd. 2. **Purposes and expenditures.** Money from the reinvest in Minnesota resources fund may only be spent for the following fish and wildlife conservation enhancement purposes:

(1) development and implementation of the ~~comprehensive~~ fish and wildlife management ~~plan~~ plans under section 84.942;

(2) implementation of the reinvest in Minnesota reserve program established by section 103F.515;

(3) soil and water conservation practices to improve water quality, reduce soil erosion and crop surpluses;

(4) enhancement or restoration of fish and wildlife habitat on lakes, streams, wetlands, and public and private forest lands;

(5) acquisition and development of public access sites and recreation easements to lakes, streams, and rivers for fish and wildlife oriented recreation;

(6) matching funds with government agencies, federally recognized Indian tribes and bands, and the private sector for acquisition and improvement of fish and wildlife habitat;

(7) research and surveys of fish and wildlife species and habitat;

(8) enforcement of natural resource laws and rules;

(9) information and education;

(10) implementing the aspen recycling program under section 88.80 and for other forest wildlife management projects; and

(11) necessary support services to carry out these purposes.

Sec. 9. Minnesota Statutes 2008, section 84D.03, subdivision 3, is amended to read:

Subd. 3. **Bait harvest from infested waters.** (a) ~~The Taking of~~ wild animals from infested waters for bait or aquatic farm purposes is prohibited, except as provided in paragraph (b).

(b) In waters that are designated as infested waters, except those designated because they contain prohibited invasive species of fish, the taking of wild animals may be permitted for:

(1) commercial taking of wild animals for bait and aquatic farm purposes according to a permit issued under section 84D.11, subject to rules adopted by the commissioner; and

(2) bait purposes for noncommercial personal use in waters that contain Eurasian water milfoil, when the infested waters are designated solely because they contain

Eurasian water milfoil and if the equipment for taking is limited to cylindrical minnow traps not exceeding 16 inches in diameter and 32 inches in length.

(c) Nets, traps, buoys, anchors, stakes, and lines used for minnow harvest in an infested water that is designated because it contains invasive fish, invasive invertebrates, or certifiable diseases, as defined in section 17.4982, may not be used in any other waters.

Sec. 10. **[84D.105] COMMERCIAL DOCK AND BOAT LIFT INSTALLERS; INVASIVE SPECIES TRAINING REQUIRED.**

An individual installing or removing docks or boat lifts for a fee on more than one lake shall attend at least one hour of training during the previous 36 months on the identification and methods to prevent the spread of invasive species, if a training session is conducted within 50 miles of the individual's place of business and the cost does not exceed \$10. A person conducting invasive species training of dock and boat lift installers, as provided in this section, must be approved for invasive species training by the commissioner. A person conducting invasive species training of dock and boat lift installers shall issue a certificate of training to an individual who attends invasive species training for at least one hour. The certificate shall include the name, address, and phone number of the person conducting the training, the location of the training, the date and time of the training, the name of the individual receiving the training, and the name of the business employing the installer, if applicable. An individual who is required to have training under this section shall have a valid certificate of training in possession while the individual is installing or removing docks or boat lifts.

Sec. 11. Minnesota Statutes 2008, section 84D.13, subdivision 3, is amended to read:

Subd. 3. **Criminal penalties.** (a) A person who violates a provision of ~~section~~ sections 84D.06, ~~84D.07, 84D.08, or~~ to 84D.10, or a rule adopted under section 84D.12, is guilty of a misdemeanor.

(b) A person who possesses, transports, or introduces a prohibited invasive species in violation of section 84D.05 is guilty of a misdemeanor. A person who imports, purchases, sells, or propagates a prohibited invasive species in violation of section 84D.05 is guilty of a gross misdemeanor.

(c) A person who refuses to obey an order of a peace officer or conservation officer to remove prohibited invasive species or aquatic macrophytes from any watercraft, trailer, or plant harvesting equipment is guilty of a gross misdemeanor.



Sec. 12. Minnesota Statutes 2008, section 97A.015, is amended by adding a subdivision to read:

Subd. 1a. **Accompanied.** "Accompanied" means:

(1) for a youth age 13 or under hunting small game other than wild turkey, a parent or guardian over age 18 is within unaided sight and hearing distance of the youth hunter that is adequate for the parent or guardian to provide direction and control over the youth hunter;

(2) for a youth age 13 or under hunting wild turkey or big game, a parent or guardian over age 18 is in close enough proximity of the youth hunter for the parent or guardian to immediately assume control of the youth hunter's firearm or bow; or

(3) for a person age 13 or over born after December 31, 1979, and hunting with an apprentice hunter validation under section 97B.022, an adult licensed to hunt in Minnesota whose license was not obtained using an apprentice hunter validation is within unaided sight and hearing distance of the person that is adequate for the licensed adult to provide direction and control over the apprentice hunter.

Sec. 13. Minnesota Statutes 2008, section 97A.015, subdivision 52, is amended to read:

Subd. 52. **Unprotected birds.** "Unprotected birds" means English sparrow, blackbird, starling, magpie, cormorant, common pigeon, Eurasian collared dove, chukar partridge, quail other than bobwhite quail, and mute swan.

Sec. 14. Minnesota Statutes 2008, section 97A.055, subdivision 4b, is amended to read:

Subd. 4b. **Citizen oversight subcommittees.** (a) The commissioner shall appoint subcommittees of affected persons to review the reports prepared under subdivision 4; review the proposed work plans and budgets for the coming year; propose changes in policies, activities, and revenue enhancements or reductions; review other relevant information; and make recommendations to the legislature and the commissioner for improvements in the management and use of money in the game and fish fund.

(b) The commissioner shall appoint the following subcommittees, each comprised of at least three affected persons:

(1) a Fisheries Operations Subcommittee to review fisheries funding, excluding activities related to trout and salmon stamp and walleye stamp funding;

(2) a Wildlife Operations Subcommittee to review wildlife funding, excluding activities related to migratory waterfowl, pheasant, and wild turkey management funding and excluding review of the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c);

(3) a Big Game Subcommittee to review the report required in subdivision 4, paragraph (a), clause (2);

(4) an Ecological Resources Subcommittee to review ecological services funding;

(5) a subcommittee to review game and fish fund funding of enforcement and operations support;

(6) a subcommittee to review the trout and salmon stamp report and address funding issues related to trout and salmon;

(7) a subcommittee to review the report on the migratory waterfowl stamp and address funding issues related to migratory waterfowl;

(8) a subcommittee to review the report on the pheasant stamp and address funding issues related to pheasants;

(9) a subcommittee to review the report on the wild turkey management account and address funding issues related to wild turkeys; and

(10) a subcommittee to review the walleye stamp and address funding issues related to walleye stocking.

(c) The chairs of each of the subcommittees shall form a Budgetary Oversight Committee to coordinate the integration of the subcommittee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; provide a forum to address issues that transcend the subcommittees; and submit a report for any subcommittee that fails to submit its report in a timely manner.

(d) The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house of representatives committees with jurisdiction over natural resources finance.

(e) Each subcommittee shall choose its own chair, except that the chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of any of the subcommittees.

(f) The Budgetary Oversight Committee must make recommendations to the commissioner and to the senate and house of representatives committees with jurisdiction over natural resources finance for outcome goals from expenditures.

(g) Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the Budgetary Oversight Committee and subcommittees do not expire until June 30, ~~2010~~ 2011.

Sec. 15. Minnesota Statutes 2009 Supplement, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses ~~(5)~~, (6), (7), ~~(13)~~, ~~(14)~~, and ~~(15)~~ (8), and 3, clauses ~~(2)~~, (3), (4), ~~(10)~~, (5), and (11), and ~~(12)~~, and licenses issued under section 97B.301, subdivision 4.

(b) \$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and shall be used for deer habitat improvement or deer management programs.

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear management account and shall be used for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent.

When the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Sec. 16. Minnesota Statutes 2008, section 97A.101, subdivision 3, is amended to read:

Subd. 3. **Fishing may not be restricted.** Seasons or methods of taking fish other than minnows may not be restricted under this section.

Sec. 17. Minnesota Statutes 2008, section 97A.145, subdivision 2, is amended to read:

Subd. 2. **Acquisition procedure.** (a) Lands purchased or leased under this section must be acquired in accordance with this subdivision.

(b) The commissioner must notify the county board and the town officers where the land is located and furnish them a description of the land to be acquired. The county board

12.1 must approve or disapprove the proposed acquisition within 90 days after being notified.  
12.2 The commissioner may extend the time up to 30 days. The soil and water conservation  
12.3 district supervisors shall counsel the county board on drainage and flood control and the  
12.4 best utilization and capability of the land.

12.5 (c) If the county board approves the acquisition within the prescribed time, the  
12.6 commissioner may acquire the land.

12.7 (d) If the county board disapproves the acquisition, it must state valid reasons.  
12.8 The commissioner may not purchase or lease the land if the county board disapproves  
12.9 the acquisition and states its reasons within the prescribed time period. The landowner  
12.10 or the commissioner may appeal the disapproval to the district court having jurisdiction  
12.11 where the land is located.

12.12 (e) The commissioner or the owner of the land may submit the proposed acquisition  
12.13 to the Land Exchange Board if: (1) the county board does not give reason for disapproval,  
12.14 or does not approve or disapprove the acquisition within the prescribed time period; or  
12.15 (2) the court finds commissioner or owner of the land maintains that the disapproval is  
12.16 arbitrary and capricious, ~~or~~ that the reasons stated for disapproval are invalid, or that the  
12.17 acquisition is in the public interest.

12.18 (f) The Land Exchange Board must conduct a hearing and make a decision on  
12.19 the acquisition within 60 days after receiving the proposal. The Land Exchange Board  
12.20 must give notice of the hearing to the county board, the commissioner, the landowner,  
12.21 and other interested parties. The Land Exchange Board must consider the interests of the  
12.22 county, the state, and the landowner in determining whether the acquisition is in the public  
12.23 interest. If a majority of the Land Exchange Board members approves the acquisition,  
12.24 the commissioner may acquire the land. If a majority disapproves, the commissioner  
12.25 may not purchase or lease the land.

12.26 Sec. 18. Minnesota Statutes 2008, section 97A.311, subdivision 5, is amended to read:

12.27 Subd. 5. **Refunds.** (a) The commissioner may issue a refund on a license, not  
12.28 including any issuing fees paid under section 97A.485, subdivision 6, if the request is  
12.29 received within 90 days of the original license purchase and:

12.30 (1) the licensee dies before the opening of the licensed season. The original license  
12.31 and a copy of the death certificate must be provided to the commissioner;

12.32 (2) the licensee is unable to participate in the licensed activity because the licensee is  
12.33 called to active military duty or military leave is canceled during the entire open season of  
12.34 the licensed activity. The original license and a copy of the military orders or notice of  
12.35 cancellation of leave must be provided to the commissioner; ~~or~~

13.1 (3) the licensee purchased two licenses for the same license season in error; or  
13.2 (4) the licensee was not legally required to purchase the license to participate  
13.3 in the activity.

13.4 (b) This subdivision does not apply to lifetime licenses.

13.5 Sec. 19. Minnesota Statutes 2008, section 97A.331, is amended by adding a  
13.6 subdivision to read:

13.7 Subd. 4a. **Feeding or baiting deer.** A person who violates the wildlife feeding or  
13.8 baiting restrictions under section 97B.118 or 97B.328 within three years of a previous  
13.9 conviction under that section is guilty of a gross misdemeanor.

13.10 Sec. 20. Minnesota Statutes 2008, section 97A.331, is amended by adding a  
13.11 subdivision to read:

13.12 Subd. 4b. **Hunting big game while under revocation.** Notwithstanding section  
13.13 97A.421, subdivision 7, a person who takes big game during the time the person is  
13.14 prohibited from obtaining a license to take big game under section 97A.421 is guilty  
13.15 of a gross misdemeanor.

13.16 Sec. 21. Minnesota Statutes 2008, section 97A.420, is amended by adding a  
13.17 subdivision to read:

13.18 Subd. 1a. **Seizure of deer hunting license for feeding or baiting deer.** (a) An  
13.19 enforcement officer shall immediately seize the deer hunting licenses of a person who  
13.20 violates wildlife feeding or baiting restrictions under section 97B.118 or 97B.328.

13.21 (b) Except as provided in subdivisions 2 and 4, the person may not obtain any license  
13.22 to take deer, including a duplicate license, until an action is taken under subdivision 6.

13.23 (c) A person may not take deer until an action is taken under subdivision 6.

13.24 Sec. 22. Minnesota Statutes 2008, section 97A.420, subdivision 2, is amended to read:

13.25 Subd. 2. **Administrative review.** (a) At any time after the seizure of a license under  
13.26 subdivision 1 or 1a and before revocation under section 97A.421, a person may request in  
13.27 writing a review of the seizure under this section. Upon receiving the request for review,  
13.28 the commissioner shall review the seizure, the evidence upon which it was based, and  
13.29 other material information brought to the attention of the commissioner, and determine  
13.30 whether sufficient cause exists to sustain the seizure.

14.1 (b) Within 15 days after receiving the request for administrative review, the  
14.2 commissioner shall issue a written report of the review and shall order that the seizure  
14.3 be either sustained or rescinded.

14.4 (c) The review provided in this subdivision is not subject to the contested case  
14.5 provisions of the Administrative Procedure Act under chapter 14. The availability of  
14.6 administrative review does not preclude judicial review under this section.

14.7 Sec. 23. Minnesota Statutes 2008, section 97A.420, subdivision 3, is amended to read:

14.8 Subd. 3. **Judicial review.** (a) Within 30 days following the seizure of a license under  
14.9 subdivision 1 or 1a, a person may petition the court for review. The petition must be filed  
14.10 with the district court administrator in the county where the incident occurred, together  
14.11 with proof of service of a copy on the commissioner and the county attorney. A responsive  
14.12 pleading is not required of the commissioner of natural resources and court fees may not  
14.13 be charged for the appearance of the representative of the commissioner in the matter.

14.14 (b) The petition must be captioned in the name of the person making the petition as  
14.15 petitioner and the commissioner as respondent. The petition must state specifically the  
14.16 grounds upon which the petitioner seeks rescission of the license seizure.

14.17 (c) The filing of the petition does not stay the license seizure. The judicial review  
14.18 shall be conducted according to the Rules of Civil Procedure.

14.19 Sec. 24. Minnesota Statutes 2008, section 97A.420, subdivision 4, is amended to read:

14.20 Subd. 4. **Hearing.** (a) A hearing under subdivision 3 must be before a district court  
14.21 judge in the county where the incident occurred giving rise to the license seizure. The  
14.22 hearing must be to the court and may be conducted at the same time as hearings upon  
14.23 pretrial motions in a related criminal prosecution. The commissioner must be represented  
14.24 by the county attorney.

14.25 (b) The hearing must be held at the earliest practicable date and in any event no later  
14.26 than 60 days following the filing of the petition for review.

14.27 (c) The scope of the hearing must be limited to the issue of whether there is probable  
14.28 cause to believe that:

14.29 (1) the person had unlawfully taken, possessed, or transported wild animals with a  
14.30 restitution value over \$500 under subdivision 1; or

14.31 (2) the person violated the wildlife feeding or baiting restrictions under subdivision  
14.32 1a.

15.1 (d) The court shall order that the license seizure be either sustained or rescinded.  
15.2 Within 14 days following the hearing, the court shall forward a copy of the order to the  
15.3 commissioner.

15.4 (e) Any party aggrieved by the decision of the reviewing court may appeal the  
15.5 decision as provided in the Rules of Civil Appellate Procedure.

15.6 Sec. 25. Minnesota Statutes 2008, section 97A.420, subdivision 6, is amended to read:

15.7 Subd. 6. **Return or revocation of licenses upon dismissal or conviction.** (a) Upon  
15.8 acquittal, dismissal, or determination not to charge a person for a violation, the license  
15.9 seizure under subdivision 1 or 1a is immediately rescinded and any license seized in  
15.10 connection with the incident must be returned to the licensee.

15.11 (b) Upon conviction of a violation when the restitution value of the wild animals  
15.12 exceeds \$500, revocation of licenses and license privileges must be imposed as provided  
15.13 under section 97A.421, subdivision 2a.

15.14 (c) Upon conviction for violation of the wildlife feeding or baiting restrictions  
15.15 under section 97B.118 or 97B.328, revocation of licenses and license privileges must be  
15.16 imposed as provided under section 97A.421, subdivision 3a.

15.17 Sec. 26. Minnesota Statutes 2008, section 97A.421, is amended by adding a  
15.18 subdivision to read:

15.19 Subd. 3a. **Issuance of big game license after conviction for feeding or baiting.**

15.20 (a) A person who is convicted of violating the wildlife feeding or baiting restrictions under  
15.21 section 97B.118 or 97B.328 may not obtain a deer hunting license or take deer under a  
15.22 lifetime license for one year after the date of conviction.

15.23 (b) A person who is convicted of a second violation of section 97B.118 or 97B.328  
15.24 within three years of a previous conviction under that section may not obtain any big game  
15.25 license or take big game under a lifetime license for three years after the date of conviction.

15.26 Sec. 27. Minnesota Statutes 2008, section 97A.421, subdivision 4a, is amended to read:

15.27 Subd. 4a. **Suspension for failure to appear in court or pay a fine or surcharge.**

15.28 When a court reports to the commissioner that a person (1) has failed to appear in court  
15.29 ~~under the summons issued~~ in response to a notice to appear or fails to comply with other  
15.30 orders of the court regarding the appearance or proceedings for a violation of the game  
15.31 and fish laws or (2) has been convicted of violating a provision of the game and fish  
15.32 laws, has been sentenced to the payment of a fine or had a surcharge levied against them,  
15.33 and refused or failed to comply with that sentence or to pay the fine or surcharge, the

16.1 commissioner shall suspend the game and fish license and permit privileges of the person  
16.2 until notified by the court that the person has appeared in court under clause (1) or that any  
16.3 fine or surcharge due the court has been paid under clause (2).

16.4 Sec. 28. Minnesota Statutes 2008, section 97A.433, is amended by adding a  
16.5 subdivision to read:

16.6 Subd. 5. **Mandatory separate selection.** The commissioner must conduct  
16.7 a separate selection for 20 percent of the elk licenses to be issued each year. Only  
16.8 individuals who have applied at least ten times for an elk license and who have never  
16.9 received a license are eligible for this separate selection.

16.10 Sec. 29. Minnesota Statutes 2008, section 97A.435, subdivision 1, is amended to read:

16.11 Subdivision 1. ~~Number of licenses to be issued~~ License issuance. The  
16.12 commissioner shall include in ~~a rule setting the dates for a turkey season the number of~~  
16.13 ~~licenses to be issued~~ rules setting turkey seasons the methods for issuing licenses for  
16.14 those seasons.

16.15 Sec. 30. Minnesota Statutes 2009 Supplement, section 97A.445, subdivision 1a,  
16.16 is amended to read:

16.17 Subd. 1a. **Angling in a state park.** (a) A resident may take fish by angling without  
16.18 an angling license:

16.19 (1) when shore fishing or wading on state-owned land within a state park; or

16.20 (2) when angling from a boat or float; ~~this subdivision applies only to those or~~  
16.21 through the ice on water bodies completely encompassed within the statutory boundary of  
16.22 the state park.

16.23 (b) The exemption from an angling license does not apply to waters where a trout  
16.24 stamp is required.

16.25 Sec. 31. Minnesota Statutes 2008, section 97A.445, subdivision 5, is amended to read:

16.26 Subd. 5. ~~Small game hunting; Take a Kid Hunting Weekend.~~ (a) A resident over  
16.27 age 18 may take small game by hunting without a license during one Saturday and Sunday  
16.28 of the small game hunting season designated by rule of the commissioner if accompanied  
16.29 by a child who is under age ~~16~~ 18. The commissioner shall publicize the Saturday and  
16.30 Sunday as "Take a Kid Hunting Weekend." Notwithstanding section 97A.451, subdivision  
16.31 3, a person under age 18 does not need a hunting license to take small game by hunting on  
16.32 the weekend designated under this paragraph.



17.1            (b) Notwithstanding section 97A.451, subdivision 3a, a person under age 16 may  
17.2            take waterfowl without a license when accompanied by a nonhunting adult age 18 or  
17.3            over during youth waterfowl hunting days designated by rule of the commissioner in  
17.4            accordance with federal law.

17.5            Sec. 32. Minnesota Statutes 2009 Supplement, section 97A.451, subdivision 2, is  
17.6            amended to read:

17.7            Subd. 2. **Residents under age 16 18; fishing.** (a) A resident under the age of ~~16~~  
17.8            18 years may take fish without a license.

17.9            (b) A resident under the age of ~~16~~ 18 may net ciscoes and whitefish for personal  
17.10           consumption without the license required under section 97A.475, subdivision 13. A  
17.11           resident netting ciscoes and whitefish under this paragraph must follow all other applicable  
17.12           requirements for netting ciscoes and whitefish for personal consumption.

17.13           **EFFECTIVE DATE.** This section is effective March 1, 2011.

17.14           Sec. 33. Minnesota Statutes 2008, section 97A.451, subdivision 3, is amended to read:

17.15           Subd. 3. **Residents under age 16; small game and nonresident hunting.** (a) ~~A~~  
17.16           ~~resident under age 16 must obtain a small game license in order to take small game by~~  
17.17           ~~firearms or bow and arrow without paying the applicable fees under section 97A.475,~~  
17.18           ~~subdivisions 2, 4, and 5, if the resident is:~~

17.19               ~~(1) age 14 or 15 and possesses a firearms safety certificate;~~

17.20               ~~(2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or~~  
17.21           ~~guardian;~~

17.22               ~~(3) age 13, 14, or 15, possesses an apprentice hunter validation, and is accompanied~~  
17.23           ~~by a parent or guardian who possesses a small game license that was not obtained using an~~  
17.24           ~~apprentice hunter validation; or~~

17.25               ~~(4) age 12 or under and is accompanied by a parent or guardian~~ Except as otherwise  
17.26           specifically provided by law, a person must obtain a license to hunt big game or small game  
17.27           by firearms or bow and arrow and is eligible to obtain a license and use it for hunting if the  
17.28           person was born on or before December 31, 1979, or, if born after December 31, 1979, is:

17.29               (1) 12 years of age or under and is accompanied by a parent or guardian;

17.30               (2) 13 years of age, possesses a hunter education firearms safety certificate, and  
17.31           is accompanied by a parent or guardian;

17.32               (3) 14 years of age or over and possesses a hunter education firearms safety  
17.33           certificate; or

(4) 13 years of age or over, possesses an apprentice hunter validation, and is accompanied by an adult 18 years of age or over who is licensed to hunt in Minnesota and whose license was not obtained using an apprentice hunter validation.

(b) A person age ten or 11 may take big game if the person is under the direct supervision of a parent or guardian and the parent or guardian is within immediate reach. A person under age ten is not eligible to obtain a big game license and may not take big game.

~~(b) (c) A resident under age 16 may take small game by trapping without a small game license, but a resident 13 years of age or older must have a trapping license to take small game by trapping.~~ A resident under age 13 may trap without a trapping license, but may not register fisher, otter, bobcat, or pine marten unless the resident is at least age five. Any fisher, otter, bobcat, or pine marten taken by a resident under age five must be included in the limit of the accompanying parent or guardian.

~~(c) A resident under age 12 may apply for a turkey license and may take a turkey without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.~~

~~(d) A resident under age 12 may apply for a prairie chicken license and may take a prairie chicken without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.~~

Sec. 34. Minnesota Statutes 2009 Supplement, section 97A.475, subdivision 2, is amended to read:

Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents only, are:

- (1) for persons under age 18 to take small game, \$5;
- (2) for persons age 18 or over and under age 65 to take small game, \$12.50;
- ~~(2) (3)~~ for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- ~~(3) (4)~~ for persons age 18 or over to take turkey, \$23;
- ~~(4) (5)~~ for persons under age 18 to take turkey, \$12 \$5;
- ~~(5) (6)~~ for persons age 18 or over to take deer with firearms during the regular firearms season, \$26;
- ~~(6) (7)~~ for persons age 18 or over to take deer by archery, \$26;
- ~~(7) (8)~~ for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$26;
- ~~(8) (9)~~ to take moose, for a party of not more than six persons, \$310;
- ~~(9) (10)~~ to take bear, \$38;
- ~~(10) (11)~~ to take elk, for a party of not more than two persons, \$250;

19.1           ~~(11)~~ (12) to take Canada geese during a special season, \$4;  
19.2           ~~(12)~~ (13) to take prairie chickens, \$20;  
19.3           ~~(13)~~ (14) for persons under age 18 to take deer with firearms during the regular  
19.4 firearms season, ~~\$13~~ \$5;  
19.5           ~~(14)~~ (15) for persons under age 18 to take deer by archery, ~~\$13~~ \$5; and  
19.6           ~~(15)~~ (16) for persons under age 18 to take deer by muzzleloader during the  
19.7 muzzleloader season, ~~\$13~~ \$5.

19.8           Sec. 35. Minnesota Statutes 2009 Supplement, section 97A.475, subdivision 3, is  
19.9 amended to read:

19.10           Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued  
19.11 to nonresidents, are:

19.12           (1) for persons under age 18 to take small game, \$5;  
19.13           (2) for persons age 18 or over to take small game, \$73;  
19.14           ~~(2)~~ (3) for persons age 18 or over to take deer with firearms during the regular  
19.15 firearms season, \$135;  
19.16           ~~(3)~~ (4) for persons age 18 or over to take deer by archery, \$135;  
19.17           ~~(4)~~ (5) for persons age 18 or over to take deer by muzzleloader during the  
19.18 muzzleloader season, \$135;  
19.19           ~~(5)~~ (6) to take bear, \$195;  
19.20           ~~(6)~~ (7) for persons age 18 ~~and older~~ or over to take turkey, \$78;  
19.21           ~~(7)~~ (8) for persons under age 18 to take turkey, ~~\$12~~ \$5;  
19.22           ~~(8)~~ (9) to take raccoon or bobcat, \$155;  
19.23           ~~(9)~~ (10) to take Canada geese during a special season, \$4;  
19.24           ~~(10)~~ (11) for persons under age 18 to take deer with firearms during the regular  
19.25 firearms season in any open season option or time period, ~~\$13~~ \$5;  
19.26           ~~(11)~~ (12) for persons under age 18 to take deer by archery, ~~\$13~~ \$5; and  
19.27           ~~(12)~~ (13) for persons under age 18 to take deer during the muzzleloader season,  
19.28 ~~\$13~~ \$5.

19.29           (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under  
19.30 paragraph (a), clauses ~~(1)~~ (2) to ~~(8)~~ (9). An additional commission may not be assessed  
19.31 on this surcharge.

19.32           Sec. 36. Minnesota Statutes 2008, section 97A.475, subdivision 3a, is amended to read:

19.33           Subd. 3a. **Deer license surcharge.** A person may agree to add a donation of \$1, \$3,  
19.34 or \$5 to the fees for annual resident and nonresident licenses to take deer by firearms or

archery established under subdivisions 2, clauses ~~(5)~~, (6), (7), ~~(11)~~, and ~~(13)~~ (8), and 3, clauses ~~(2)~~, (3), (4), (5), and ~~(9)~~ (10). Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or archery established under section 97B.301, subdivision 4, must be increased by a surcharge of \$1. An additional commission may not be assessed on the donation or surcharge and the following statement must be included in the annual deer hunting regulations: "The deer license donations and surcharges are being paid by hunters for deer management, including assisting with the costs of processing deer donated for charitable purposes."

Sec. 37. Minnesota Statutes 2008, section 97A.475, subdivision 4, is amended to read:

Subd. 4. **Small game surcharge.** Fees for annual licenses to take small game must be increased by a surcharge of \$6.50. An additional commission may not be assessed on the surcharge and the following statement must be included in the annual small game hunting regulations: "This \$6.50 surcharge is being paid by hunters for the acquisition and development of wildlife lands." Small game licenses issued to individuals under age 18 are exempt from this surcharge.

Sec. 38. Minnesota Statutes 2008, section 97A.475, subdivision 43, is amended to read:

Subd. 43. **Duplicate licenses.** The fees for duplicate licenses are:

(1) for licenses to take big game, \$5; ~~and~~

(2) for a license issued to a person under age 18, \$1; and

(3) for other licenses, \$2.

Sec. 39. Minnesota Statutes 2008, section 97A.475, subdivision 44, is amended to read:

Subd. 44. **Replacement licenses.** (a) The fee for a replacement firearms deer license is \$5.

(b) The fee for a replacement firearms deer license issued to a person under age 18 is \$1.

Sec. 40. Minnesota Statutes 2008, section 97A.535, subdivision 2a, is amended to read:

Subd. 2a. **Quartering of deer allowed.** A deer that has been tagged as required in subdivision 1 may be quartered at the site of the kill. The animal's head or genitalia must remain attached to one of the quarters. For antlered deer, the animal's head must remain attached to one of the quarters. The quarters must be presented together for registration under subdivision 2 and must remain together until the deer is processed for storage.

21.1 Sec. 41. Minnesota Statutes 2008, section 97A.545, subdivision 5, is amended to read:

21.2 Subd. 5. **Birds must be in undressed condition; exceptions.** (a) Except as  
21.3 provided in paragraph (b), a person may ship or otherwise transport game birds in an  
21.4 undressed condition only.

21.5 (b) Paragraph (a) does not apply if the birds being shipped or otherwise transported:

21.6 (1) were taken on a shooting preserve and are marked or identified in accordance  
21.7 with section 97A.121, subdivision 5;

21.8 (2) were taken, dressed, and lawfully shipped or otherwise transported in another  
21.9 state; ~~or~~

21.10 (3) are migratory game birds that were lawfully tagged and packed by a federally  
21.11 permitted migratory bird preservation facility; or

21.12 (4) are doves shipped or transported in accordance with federal law.

21.13 Sec. 42. Minnesota Statutes 2008, section 97B.015, is amended to read:

21.14 **97B.015 HUNTER EDUCATION FIREARMS SAFETY AND WILDLIFE**  
21.15 **IDENTIFICATION COURSE.**

21.16 Subdivision 1. **Establishment.** The commissioner shall establish a statewide course  
21.17 in the safe use of firearms and identification of wild mammals and birds. A course may  
21.18 be held in a school district. The courses must be conducted by the commissioner in  
21.19 cooperation with other organizations. The courses must instruct youths in commonly  
21.20 accepted principles of safety in hunting and handling common hunting firearms and  
21.21 identification of various species of wild mammals and birds by sight and other unique  
21.22 characteristics.

21.23 Subd. 2. **Administration, supervision, and enforcement.** (a) The commissioner  
21.24 shall appoint a qualified person from the Enforcement Division under civil service  
21.25 rules as supervisor of hunting safety and prescribe the duties and responsibilities of the  
21.26 position. The commissioner shall determine and provide the Enforcement Division with  
21.27 the necessary personnel for this section.

21.28 (b) The Enforcement Division may appoint instructors necessary for this section.  
21.29 Instructors shall serve on a voluntary basis without compensation. The Enforcement  
21.30 Division must supply the materials necessary for the course. School districts may  
21.31 cooperate with the commissioner and volunteer instructors to provide space for the  
21.32 classroom portion of the training.

21.33 Subd. 3. **Liability insurance.** The commissioner shall obtain insurance to cover  
21.34 all liability incurred by the county directors and instructors for bodily injury, death, and  
21.35 property damage in the performance of their duties under this section.

Subd. 4. **Student fee.** To defray the expense of the course, the Enforcement Division shall collect a fee from each person that takes the hunter education firearm safety course. The commissioner shall establish a fee that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees shall be deposited in the game and fish fund and the amount thereof is appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the program. In addition to the fee established by the commissioner, instructors may charge each person up to the established fee amount for class materials and expenses.

Subd. 5. **Hunter education firearms safety certificate.** The commissioner shall issue a hunter education firearms safety certificate to a person that satisfactorily completes the required course of instruction. A person must be at least age 11 to take the hunter education firearms safety course ~~and may receive a firearms safety certificate, but the certificate is not valid for hunting until the year the person reaches age 12. A person who is age 11 and has a firearms safety certificate may purchase a license to take big game that will be valid for hunting during the entire regular season for which the license is valid if the person will reach age 12 during that calendar year. A firearms safety certificate issued to a person under age 12 by another state as provided in section 97B.020 is not valid for hunting in Minnesota until the person reaches age 12.~~ The form and content of the hunter education firearms safety certificate shall be prescribed by the commissioner.

Subd. 5a. **Exemption for military personnel.** Notwithstanding subdivision 5, a person who has successfully completed basic training in the United States armed forces is exempt from the range and shooting exercise portion of the required course of instruction for the hunter education firearms safety certificate. The commissioner may require written proof of the person's military training, as deemed appropriate for implementing this subdivision. The commissioner shall publicly announce this exemption from the range and shooting exercise requirement and the availability of the department's online, remote study option for adults seeking hunter education firearms safety certification. Military personnel are not exempt from any other requirement of this section for obtaining a hunter education firearms safety certificate.

Subd. 6. **Provisional certificate for persons with developmental disability.** Upon the recommendation of a course instructor, the commissioner may issue a provisional hunter education firearms safety certificate to a person who satisfactorily completes the classroom portion of the hunter education firearms safety course but is unable to pass the written or an alternate format exam portion of the course because of developmental

disability as defined in section 97B.1055, subdivision 1. The certificate is valid only when used according to section 97B.1055.

Subd. 7. **Fee for duplicate certificate.** The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate hunter education firearms safety certificate. The commissioner shall establish a fee that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the service. The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The commissioner may establish the fee notwithstanding section 16A.1283. The duplicate certificate fees, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the game and fish fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, and issuing fees collected by the commissioner, are appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the hunter education firearm safety course program.

Sec. 43. Minnesota Statutes 2008, section 97B.020, is amended to read:

**97B.020 HUNTER EDUCATION FIREARMS SAFETY CERTIFICATE REQUIRED.**

(a) Except as provided in this section and section 97A.451, subdivision 3a, a person age 13 or over born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has:

- (1) a hunter education firearms safety certificate or equivalent certificate;
- (2) a driver's license or identification card with a valid hunter education firearms safety qualification indicator issued under section 171.07, subdivision 13;
- (3) a previous hunting license with a valid hunter education firearms safety qualification indicator;
- (4) an apprentice hunter validation issued under section 97B.022; or
- (5) other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement or certified by the department as substantially similar.

(b) A person who is on active duty and has successfully completed basic training in the United States armed forces, reserve component, or National Guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a hunter education firearms safety certificate.

24.1 (c) A person age 13 or over born after December 31, 1979, may not use a lifetime  
24.2 license to take wild animals by firearms, unless the person meets the requirements for  
24.3 obtaining an annual license under paragraph (a) or (b).

24.4 Sec. 44. Minnesota Statutes 2008, section 97B.021, subdivision 1, is amended to read:

24.5 Subdivision 1. **Restrictions.** (a) Except as provided in this subdivision, a person  
24.6 under the age of 16 may not possess a firearm, unless accompanied by a parent or guardian.

24.7 (b) A person under age 16 may possess a firearm without being accompanied by a  
24.8 parent or guardian:

24.9 (1) on land owned by, or occupied as the principal residence of, the person or the  
24.10 person's parent or guardian;

24.11 (2) while participating in an organized target shooting program with adult  
24.12 supervision;

24.13 (3) while the person is participating in a hunter education firearms safety program  
24.14 or traveling to and from class; or

24.15 (4) if the person is age 14 or 15 and has a hunter education firearms safety certificate.

24.16 (c) A person age 13, 14, or 15 hunting with an apprentice hunter validation may  
24.17 possess a firearm if accompanied by a parent or guardian age 18 or over who is licensed  
24.18 to hunt in Minnesota and whose license was not obtained using an apprentice hunter  
24.19 validation.

24.20 Sec. 45. **[97B.0215] PARENT OR GUARDIAN RESPONSIBILITY; VIOLATION.**

24.21 A parent or guardian may not knowingly direct, allow, or permit a person under the  
24.22 age of 18 to hunt without the required license, permit, training, or certification, or in  
24.23 violation of the game and fish laws.

24.24 Sec. 46. Minnesota Statutes 2008, section 97B.022, subdivision 2, is amended to read:

24.25 Subd. 2. **Apprentice hunter validation requirements.** A resident born after  
24.26 December 31, 1979, who is age ~~12~~ 13 or ~~older~~ over and ~~who~~ a nonresident who is age 13  
24.27 to 17, and the resident or nonresident does not possess a hunter education firearms safety  
24.28 certificate may be issued an apprentice hunter validation. An apprentice hunter validation  
24.29 is valid for only ~~one~~ two license ~~year~~ years in a lifetime. An individual in possession of  
24.30 an apprentice hunter validation may hunt small game ~~and~~ deer, and bear only when  
24.31 accompanied by an adult licensed to hunt in Minnesota whose license was not obtained  
24.32 using an apprentice hunter validation. An apprentice hunter validation holder must obtain  
24.33 all required licenses and stamps.



Sec. 47. Minnesota Statutes 2008, section 97B.031, subdivision 5, is amended to read:

Subd. 5. **Scopes; visually impaired hunters on muzzleloaders.** (a)

~~Notwithstanding any other law to the contrary, the commissioner may issue a special permit, without a fee, to~~ A person may use a muzzleloader with a scope with up to four times magnification capability to take deer during the muzzleloader season to a person who obtains the required licenses and who has a visual impairment. The scope may not have magnification capabilities.

~~(b) The visual impairment must be to the extent that the applicant is unable to identify targets and the rifle sights at the same time without a scope. The visual impairment and specific conditions must be established by medical evidence verified in writing by a licensed physician, ophthalmologist, or optometrist. The commissioner may request additional information from the physician if needed to verify the applicant's eligibility for the permit.~~

~~(c) A permit issued under this subdivision may be valid for up to five years, based on the permanence of the visual impairment as determined by the licensed physician, ophthalmologist, or optometrist.~~

~~(d) The permit must be in the immediate possession of the permittee when hunting under the special permit.~~

~~(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this subdivision for cause, including a violation of the game and fish laws or rules.~~

~~(f) A person who knowingly makes a false application or assists another in making a false application for a permit under this subdivision is guilty of a misdemeanor. A physician, ophthalmologist, or optometrist who fraudulently certifies to the commissioner that a person is visually impaired as described in this subdivision is guilty of a misdemeanor.~~

Sec. 48. Minnesota Statutes 2008, section 97B.045, is amended by adding a subdivision to read:

Subd. 4. **Exception for livestock producers taking predators.** The restrictions in subdivision 1 do not apply to a livestock producer or producer's employee while taking unprotected wild animals or predatory domestic dogs on the person's farm when experiencing predatory loss of livestock from wild animal or domestic dog predation.

Sec. 49. Minnesota Statutes 2009 Supplement, section 97B.055, subdivision 3, is amended to read:

Subd. 3. **Hunting from vehicle by disabled hunters.** (a) The commissioner may issue a special permit, without a fee, to discharge a firearm or bow and arrow from a stationary motor vehicle to a person who obtains the required licenses and who has a permanent physical disability that is more substantial than discomfort from walking. The permit recipient must be:

(1) unable to step from a vehicle without aid of a wheelchair, crutches, braces, or other mechanical support or prosthetic device; or

(2) unable to walk any distance because of a permanent lung, heart, or other internal disease that requires the person to use supplemental oxygen to assist breathing.

(b) The permanent physical disability must be established by medical evidence verified in writing by a licensed physician ~~or~~ chiropractor, or certified nurse practitioner or certified physician assistant acting under the direction of a licensed physician. The commissioner may request additional information from the physician or chiropractor if needed to verify the applicant's eligibility for the permit. Notwithstanding section 97A.418, the commissioner may, in consultation with appropriate advocacy groups, establish reasonable minimum standards for permits to be issued under this section. In addition to providing the medical evidence of a permanent disability, the applicant must possess a valid disability parking certificate authorized by section 169.345 or license plates issued under section 168.021.

(c) A person issued a special permit under this subdivision and hunting deer may take a deer of either sex, except in those antlerless permit areas and seasons where no antlerless permits are offered. This subdivision does not authorize another member of a party to take an antlerless deer under section 97B.301, subdivision 3.

(d) A permit issued under this subdivision is valid for five years.

(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this section for cause, including a violation of the game and fish laws or rules.

(f) A person who knowingly makes a false application or assists another in making a false application for a permit under this section is guilty of a misdemeanor. A physician, certified nurse practitioner, certified physician assistant, or chiropractor who fraudulently certifies to the commissioner that a person is permanently disabled as described in this section is guilty of a misdemeanor.

(g) Notwithstanding paragraph (d), the commissioner may issue a permit valid for the entire life of the applicant if the commissioner determines that there is no chance that an applicant will become ineligible for a permit under this section and the applicant requests a lifetime permit.

27.1 Sec. 50. Minnesota Statutes 2008, section 97B.075, is amended to read:

27.2 **97B.075 HUNTING RESTRICTED BETWEEN EVENING AND MORNING.**

27.3 (a) A person may not take protected wild animals, except raccoon and fox, with  
27.4 a firearm between the evening and morning times established by commissioner's rule,  
27.5 except as provided in this section.

27.6 (b) Big game may be taken from one-half hour before sunrise until one-half hour  
27.7 after sunset.

27.8 (c) Except as otherwise prescribed by the commissioner on or before the Saturday  
27.9 nearest October 8, waterfowl may be taken from one-half hour before sunrise until sunset  
27.10 during the entire season prescribed by the commissioner. On the opening day of the  
27.11 duck season, shooting hours for migratory game birds, except woodcock and doves,  
27.12 begin at 9:00 a.m.

27.13 Sec. 51. Minnesota Statutes 2008, section 97B.106, subdivision 1, is amended to read:

27.14 Subdivision 1. **Qualifications for crossbow permits.** (a) The commissioner may  
27.15 issue a special permit, without a fee, to take big game, small game, or rough fish with a  
27.16 crossbow to a person that is unable to hunt or take rough fish by archery because of a  
27.17 permanent or temporary physical disability. A crossbow permit issued under this section  
27.18 also allows the permittee to use a bow with a mechanical device that draws, releases, or  
27.19 holds the bow at full draw as provided in section 97B.035, subdivision 1, paragraph (a).

27.20 (b) To qualify for a crossbow permit under this section, a temporary disability  
27.21 must render the person unable to hunt or fish by archery for a minimum of two years  
27.22 after application for the permit is made. The permanent or temporary disability must  
27.23 be established by medical evidence, and the inability to hunt or fish by archery for the  
27.24 required period of time must be verified in writing by (1) a licensed physician or a certified  
27.25 nurse practitioner or certified physician assistant acting under the direction of a licensed  
27.26 physician; or (2) a licensed chiropractor. A person who has received a special permit  
27.27 under this section because of a permanent disability is eligible for subsequent special  
27.28 permits without providing medical evidence and verification of the disability.

27.29 (c) The person must obtain the appropriate license.

27.30 Sec. 52. **[97B.118] WILDLIFE FEEDING; RESTRICTIONS BEFORE AND**  
27.31 **DURING OPEN DEER SEASONS.**

27.32 Subdivision 1. **Time period; restrictions.** (a) From September 1 to December  
27.33 31, a person may not place feed for the purpose of attracting or feeding wildlife within

an area where deer may be taken by firearm or archery during the open seasons under applicable laws and ordinances.

(b) Feed includes grains, fruits, vegetables, nuts, hay, prepared wildlife food products, or other food that is capable of attracting wildlife and has been placed by a person, but does not include:

(1) liquid scents, salt, and minerals;

(2) bait placed by a licensed trapper for taking fur-bearing animals;

(3) bait placed by a licensed bear hunter or licensed bear hunting outfitter at a registered bear bait station under section 97B.425;

(4) food placed in a bird feeder within 50 feet of a building for the purpose of feeding birds other than game birds; or

(5) food that has not been placed by a person and resulting from normal or accepted farming, forest management, wildlife food plantings, orchard management, or other similar land management activities.

Subd. 2. **Agricultural and livestock exception.** The prohibition in subdivision 1 does not apply to feed placed for agricultural or livestock purposes if the feed is stored consistent with normal agricultural practices.

Subd. 3. **Removal of feed; additional violation.** (a) In addition to any other penalties imposed, a person charged with a violation of this section shall immediately remove any remaining feed.

(b) Failure to comply with this subdivision is a separate violation, in addition to violation of subdivision 1.

Sec. 53. Minnesota Statutes 2008, section 97B.211, subdivision 1, is amended to read:

Subdivision 1. **Possession of firearms prohibited.** (a) A person may not take deer by archery while in possession of a firearm.

(b) Paragraph (a) does not apply to a handgun carried in compliance with section 624.714.

Sec. 54. Minnesota Statutes 2008, section 97B.301, subdivision 3, is amended to read:

Subd. 3. **Party hunting.** If two or more persons with licenses to take deer by firearms, or two or more persons with licenses to take deer by archery, are hunting as a party, a member of the party may take more than one deer, but the total number of deer taken by the party may not exceed the number of persons licensed to take deer in the party. For a deer license issued to a person under age 18, only the person to whom the license is issued may take and tag a deer under that license.

Sec. 55. Minnesota Statutes 2008, section 97B.301, subdivision 6, is amended to read:

Subd. 6. **Residents or nonresidents under age 18 may take deer of either sex.** A resident or nonresident under the age of 18 may take a deer of either sex except in those antlerless permit areas and seasons where no antlerless permits are offered. In antlerless permit areas where no antlerless permits are offered, the commissioner may provide a limited number of youth either sex permits to residents or nonresidents under age 18, under the procedures provided in section 97B.305, and may give preference to residents or nonresidents under the age of 18 that have not previously been selected. This subdivision does not authorize the taking of ~~an antlerless deer on the youth hunter's license~~ by another member of a party ~~under subdivision 3.~~

Sec. 56. Minnesota Statutes 2008, section 97B.325, is amended to read:

**97B.325 ~~DEER~~ BIG GAME STAND RESTRICTIONS.**

A person may not take ~~deer~~ big game from a constructed platform or other structure that is located within the right-of-way of an improved public highway or is higher than 16 feet above the ground. The height restriction does not apply to a portable stand that is chained, belted, clamped, or tied with rope.

Sec. 57. Minnesota Statutes 2008, section 97B.405, is amended to read:

**97B.405 COMMISSIONER MAY LIMIT NUMBER OF BEAR HUNTERS.**

~~(a)~~ The commissioner may limit the number of persons that may hunt bear in an area, if it is necessary to prevent an overharvest or improve the distribution of hunters. The commissioner may establish, by rule, a method, including a drawing, to impartially select the hunters for an area. The commissioner shall give preference to hunters that have previously applied and have not been selected.

~~(b) In the case of a drawing, the commissioner shall allow a person to apply for a permit in more than one area at the same time and rank the person's choice of area.~~

Sec. 58. Minnesota Statutes 2008, section 97B.515, is amended by adding a subdivision to read:

Subd. 4. **Taking elk causing damage or nuisance.** The commissioner may authorize the taking of elk that are causing damage or nuisance by licensed hunters from September 1 to March 1 under rules prescribed by the commissioner. The commissioner may select and issue licenses to hunters from lists of license applicants based on their interest, proximity, and availability to quickly respond to the damage or nuisance situation. A person receiving a license to hunt elk under this subdivision is not subject to the

30.1 requirements of section 97A.433, subdivision 2, clause (2), and does not lose eligibility  
30.2 for future elk hunts.

30.3 Sec. 59. Minnesota Statutes 2008, section 97B.601, subdivision 4, is amended to read:

30.4 Subd. 4. **Exception to license requirements.** (a) ~~A resident under age 16 may take~~  
30.5 ~~small game without a small game license, and a resident under age 13 may trap without a~~  
30.6 ~~trapping license, as provided in section 97A.451, subdivision 3.~~

30.7 (b) A person may take small game without a small game license on land occupied by  
30.8 the person as a principal residence.

30.9 (c) An owner or occupant may take certain small game causing damage without a  
30.10 small game or trapping license as provided in section 97B.655.

30.11 (d) A person may use dogs to pursue and tree raccoons under section 97B.621,  
30.12 subdivision 2, during the closed season without a license.

30.13 (e) A person may take a turkey or a prairie chicken without a small game license.

30.14 (f) A person participating in "Take a Kid Hunting Weekend" may take small game  
30.15 without a license as provided in section 97A.445, subdivision 5.

30.16 (g) A person under age 16 may take waterfowl without a small game license on  
30.17 youth waterfowl days as provided in section 97A.445, subdivision 5.

30.18 (h) Certain military personnel or discharged veterans may take small game without a  
30.19 license as provided in section 97A.465.

30.20 Sec. 60. Minnesota Statutes 2008, section 97B.711, is amended by adding a subdivision  
30.21 to read:

30.22 Subd. 4. **Shooting grouse prohibited near motor vehicle.** A person in the vicinity  
30.23 of a motor vehicle may not discharge a firearm or an arrow from a bow at a grouse, or at a  
30.24 decoy of a grouse placed by an enforcement officer, unless the person is at least 20 yards  
30.25 from the vehicle and the vehicle's engine is shut off. This subdivision does not apply to a  
30.26 person with a disability permit issued under section 97B.055, subdivision 3.

30.27 Sec. 61. Minnesota Statutes 2008, section 97B.803, is amended to read:

30.28 **97B.803 MIGRATORY WATERFOWL SEASONS AND LIMITS.**

30.29 ~~(a)~~ The commissioner shall prescribe seasons, limits, and areas for taking migratory  
30.30 waterfowl in accordance with federal law.

30.31 ~~(b) The regular duck season may not open before the Saturday closest to October 1.~~

30.32 Sec. 62. Minnesota Statutes 2008, section 97C.005, subdivision 3, is amended to read:

Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish open seasons, limits, methods, and other requirements for taking fish on special management waters. The commissioner may, by written order published in the State Register, amend daily, possession, or size limits to make midseason adjustments that are necessary based on available harvest, angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory in compliance with the court orders in Mille Lacs Band of Chippewa v. Minnesota, 119 S. Ct. 1187 (1999). The midseason adjustments in daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. Before the written order is effective, the commissioner shall attempt to notify persons or groups of persons affected by the written order by public announcement, posting, and other appropriate means as determined by the commissioner.

Sec. 63. Minnesota Statutes 2008, section 97C.087, subdivision 2, is amended to read:

Subd. 2. **Application for tag.** Application for special fish management tags must be accompanied by a \$5, nonrefundable application fee for each tag. A person may not make more than one tag application each calendar year. If a person makes more than one application, the person is ineligible for a special fish management tag for that ~~season~~ calendar year after determination by the commissioner, without a hearing.

Sec. 64. Minnesota Statutes 2008, section 97C.205, is amended to read:

**97C.205 TRANSPORTING AND STOCKING FISH.**

(a) Except on the water body where taken, a person may not transport a live fish in a quantity of water sufficient to keep the fish alive, unless the fish:

(1) is being transported under an aquaculture license as authorized under sections 17.4985 and 17.4986;

(2) is being transported for a fishing contest weigh-in under section 97C.081;

(3) is a minnow being transported under section 97C.505 or 97C.515;

(4) is being transported by a commercial fishing license holder under section 97C.821; or

(5) is being transported as otherwise authorized in this section or as prescribed for certifiable diseases under sections 17.46 to 17.4999.

(b) The commissioner may adopt rules to allow and regulate:

(1) the transportation of fish and fish eggs; and

(2) the stocking of waters with fish or fish eggs.

(c) The commissioner must allow the possession of fish on special management or experimental waters to be prepared as a meal on the ice or on the shore of that water body if the fish:

- (1) were lawfully taken;
- (2) have been packaged by a licensed fish packer; and
- (3) do not otherwise exceed the statewide possession limits.

(d) The commissioner shall prescribe rules designed to encourage local sporting organizations to propagate game fish by using rearing ponds. The rules must:

- (1) prescribe methods to acquire brood stock for the ponds by seining public waters;
- (2) allow the sporting organizations to own and use seines and other necessary equipment; and
- (3) prescribe methods for stocking the fish in public waters that give priority to the needs of the community where the fish are reared and the desires of the organization operating the rearing pond.

(e) A person age 16 or under may, for purposes of display in a home aquarium, transport largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black, yellow, and brown bullheads taken by angling, except as otherwise ordered by the commissioner upon documentation of an emergency fish disease in Minnesota waters, as defined in section 17.4982, subdivision 9. No more than four of each species may be transported at any one time, and any individual fish can be no longer than ten inches in total length. The commissioner may, by written order published in the State Register, prohibit transportation of live fish under this paragraph to help prevent spread of an emergency fish disease documented to occur in Minnesota waters. The order is exempt from the rulemaking provisions of chapter 14 and section 14.386 does not apply.

Sec. 65. **[97C.338] TRANSPORTATION AND BAIT USE OF LARGE BULLHEADS AND WHITE SUCKERS.**

Subdivision 1. Large bullheads. (a) Notwithstanding section 97C.205, paragraph (a), up to 100 bullheads that are greater than seven inches and equal to or less than ten inches in length may be taken, possessed, transported, and held for use as live bait as provided in this section.

(b) Bullheads taken under this section may be taken from the wild by:

- (1) angling;
- (2) dip net; or



(3) seines used as authorized for noncommercial taking of minnows under sections 97C.505 and 97C.511, subdivision 1, and as prescribed by the commissioner.

(c) Bullheads taken and possessed under this section count towards the daily and possession limits for bullheads prescribed by the commissioner.

(d) Bullheads taken and possessed under this section must be transported in a container with a locking lid or other device to prevent escape, and live bullheads may not be released into the wild.

(e) A person transporting or holding bullheads under this section must allow inspection of the bullheads by the commissioner at any time.

(f) A person may not transport live bullheads taken or possessed under this section across the Minnesota state border without an appropriate commercial license and transportation permit.

Subd. 2. **Bullhead transportation north of State Highway 210.** Live bullheads, regardless of size, may not be transported north of State Highway 210 except under an appropriate commercial fishing, aquatic farm, private hatchery, or minnow dealer license or as specifically authorized by permit.

Subd. 3. **Large white suckers.** Notwithstanding section 97C.205, paragraph (a), white suckers that are over 12 inches in length and have been legally purchased from a licensed commercial vendor may be transported alive if the person transporting them has in personal possession a valid sales receipt from the vendor. To be valid, the sales receipt must:

(1) show the number of fish purchased;

(2) show the date and time of the purchase; and

(3) have a date and time of purchase that is not more than 96 hours prior to the time the suckers are being transported.

Sec. 66. Minnesota Statutes 2008, section 97C.341, is amended to read:

**97C.341 CERTAIN AQUATIC LIFE PROHIBITED FOR BAIT.**

(a) A person may not use live minnows imported from outside of the state, game fish, goldfish, or carp for bait. The commissioner may authorize use of game fish eggs as bait and prescribe restrictions on their use.

(b) A person may not import or possess live, frozen, or processed bait from known waters where viral hemorrhagic septicemia has been identified as being present. For purposes of this paragraph, "bait" includes fish, aquatic worms, amphibians, invertebrates, and insects used for ~~angling~~ taking wild animals.

Sec. 67. Minnesota Statutes 2009 Supplement, section 97C.395, subdivision 1, is amended to read:

Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling are as follows:

(1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February;

(2) for lake trout, from January 1 to October 31;

(3) for the winter season for lake trout on all lakes located outside or partially within the Boundary Waters Canoe Area, from January 15 to March 31;

(4) for the winter season for lake trout on all lakes located entirely within the Boundary Waters Canoe Area, from January 1 to March 31;

(5) for brown trout, brook trout, rainbow trout, and splake, between January 1 to October 31 as prescribed by the commissioner by rule except as provided in section 97C.415, subdivision 2;

(6) for the winter season for brown trout, brook trout, rainbow trout, and splake on all lakes, from January 15 to March 31; and

(7) for salmon, as prescribed by the commissioner by rule.

(b) The commissioner shall close the season in areas of the state where fish are spawning and closing the season will protect the resource.

(c) The commissioner shall close the season for taking smallmouth bass until the Monday following the third Sunday in June each year in the following areas:

(1) that part of the Rum River from the city of Anoka dam to the confluence with the Mississippi River;

(2) that part of Elm Creek below the Mill Pond Falls to the confluence with the Mississippi River;

(3) that part of the Mississippi River within 100 yards both upstream and downstream of the shoreline of Elm Creek at its confluence with the Mississippi River; and

(4) that part of the Mississippi River from the Coon Rapids Dam to State Highway No. 610.

Sec. 68. **ZONE 3 DEER SEASON AND RESTRICTIONS; 2010.**

For the 2010 deer season, notwithstanding rules of the commissioner of natural resources under Minnesota Statutes, section 97B.311, paragraph (a), the commissioner shall allow a nine-day early A season in Zone 3 beginning the Saturday nearest November 6 and a nine-day late B season in Zone 3 beginning the Saturday nearest November 20.

During the last two days of the 2010 early A season in Zone 3, a person may not take antlered deer unless the deer has at least four points on one side, or the person has taken an antlerless deer prior to taking the antlered deer. Party hunting for antlered deer under Minnesota Statutes, section 97B.301, subdivision 3, is not allowed in the last two days of the 2010 early A season in Zone 3. Zone 3 is defined in rules of the Department of Natural Resources. The penalty provisions under Minnesota Statutes, section 97A.301, apply to specific restrictions under this section.

**Sec. 69. RULEMAKING; SPEARING ON CASS LAKE.**

The commissioner of natural resources shall amend Minnesota Rules, part 6264.0400, subpart 69, to allow a person to take fish by spearing on Cass Lake. The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

**Sec. 70. PILOT WALK-IN PUBLIC ACCESS PROGRAM; APPROPRIATION.**

(a) \$1,400,000 in fiscal year 2011 is appropriated from the game and fish fund to the commissioner of natural resources for a two-year pilot walk-in public access program. The commissioner shall work with the Board of Water and Soil Resources and other interested persons to design a pilot program. The commissioner shall pursue additional funding and coordination with the United States Department of Agriculture. The commissioner shall contract with landowners at locations within the agricultural areas of the state for recreational access on lands containing at least 40 contiguous acres of game habitat. At a minimum, all of the locations must be open to the public for taking game during prescribed seasons from September 1 to the end of the small game season each year. Land under contract pursuant to this section shall be treated the same as land made available without charge for recreational purposes under Minnesota Statutes, sections 604A.20 to 604A.27. This is a onetime appropriation and is available until June 30, 2012.

(b) By February 15, 2011, the commissioner shall provide a progress report to the house of representatives and senate committees and divisions with primary jurisdiction over natural resources policy and budget on the pilot walk-in public access program. The report shall include:

- (1) the number of acres and location of each pilot walk-in public access contract;
- (2) information on landowner acceptance of the program;
- (3) information on the design of the program, including payments for landowner contracts and other criteria for the program;

(4) a copy of the landowner contract used for the pilot program;  
(5) a proposed source of revenue for continuation of the program and the leverage of federal funds; and  
(6) habitat criteria for the public access walk-in contracts, including any recommendations on use of money from other sources for restoration and enhancement of the walk-in access sites.

Sec. 71. **REPEALER.**

Minnesota Statutes 2008, sections 84.942, subdivisions 2, 3, and 4; 97A.435, subdivision 5; 97A.451, subdivisions 3a and 4; 97A.485, subdivision 12; 97B.022, subdivision 1; 97B.511; 97B.515, subdivision 3; and 97C.346, are repealed.

**ARTICLE 2**

**NATURAL RESOURCES POLICY**

Section 1. Minnesota Statutes 2008, section 84.025, subdivision 9, is amended to read:

Subd. 9. **Professional services support account.** The commissioner of natural resources may bill other governmental units, including tribal governments, and the various programs carried out by the commissioner for the costs of providing them with professional support services. Except as provided under section 89.421, receipts must be credited to a special account in the state treasury and are appropriated to the commissioner to pay the costs for which the billings were made.

The commissioner of natural resources shall submit to the commissioner of management and budget before the start of each fiscal year a work plan showing the estimated work to be done during the coming year, the estimated cost of doing the work, and the positions and fees that will be necessary. This account is exempted from statewide and agency indirect cost payments.

Sec. 2. Minnesota Statutes 2008, section 84.027, subdivision 15, is amended to read:

Subd. 15. **Electronic transactions.** (a) The commissioner may receive an application for, sell, and issue any license, stamp, permit, pass, sticker, ~~duplicate gift card,~~ safety training certification, registration, or transfer under the jurisdiction of the commissioner by electronic means, including by telephone. Notwithstanding section 97A.472, electronic and telephone transactions may be made outside of the state. The commissioner may:

(1) provide for the electronic transfer of funds generated by electronic transactions, including by telephone;

(2) assign an identification number to an applicant who purchases a hunting or fishing license or recreational vehicle registration by electronic means, to serve as temporary authorization to engage in the activity requiring a license or registration until the license or registration is received or expires;

(3) charge and permit agents to charge a fee of individuals who make electronic transactions and transactions by telephone or Internet, including issuing fees and an additional transaction fee not to exceed \$3.50;

(4) charge and permit agents to charge a convenience fee not to exceed three percent of the cost of the license to individuals who use electronic bank cards for payment. An electronic licensing system agent charging a fee of individuals making an electronic bank card transaction in person must post a sign informing individuals of the fee. The sign must be near the point of payment, clearly visible, include the amount of the fee, and state: "License agents are allowed by state law to charge a fee not to exceed three percent of the cost of state licenses to persons who use electronic bank cards for payment. The fee is not required by state law.";

(5) establish, by written order, an electronic licensing system commission to be paid by revenues generated from all sales made through the electronic licensing system. The commissioner shall establish the commission in a manner that neither significantly overrecovers nor underrecovers costs involved in providing the electronic licensing system; and

(6) adopt rules to administer the provisions of this subdivision.

(b) The fees established under paragraph (a), clauses (3) and (4), and the commission established under paragraph (a), clause (5), are not subject to the rulemaking procedures of chapter 14 and section 14.386 does not apply.

(c) Money received from fees and commissions collected under this subdivision, including interest earned, is annually appropriated from the game and fish fund and the natural resources fund to the commissioner for the cost of electronic licensing.

Sec. 3. Minnesota Statutes 2008, section 84.0856, is amended to read:

**84.0856 FLEET MANAGEMENT ACCOUNT.**

The commissioner of natural resources may bill organizational units within the Department of Natural Resources and other governmental units, including tribal governments, for the costs of providing them with equipment. Costs billed may include acquisition, licensing, insurance, maintenance, repair, and other direct costs as determined by the commissioner. Receipts and interest earned on the receipts shall be credited to a

38.1 special account in the state treasury and are appropriated to the commissioner to pay the  
38.2 costs for which the billings were made.

38.3 Sec. 4. Minnesota Statutes 2008, section 84.0857, is amended to read:

38.4 **84.0857 FACILITIES MANAGEMENT ACCOUNT.**

38.5 (a) The commissioner of natural resources may bill organizational units within  
38.6 the Department of Natural Resources and other governmental units, including tribal  
38.7 governments, for the costs of providing them with building and infrastructure facilities.  
38.8 Costs billed may include modifications and adaptations to allow for appropriate building  
38.9 occupancy, building code compliance, insurance, utility services, maintenance, repair, and  
38.10 other direct costs as determined by the commissioner. Receipts shall be credited to a  
38.11 special account in the state treasury and are appropriated to the commissioner to pay the  
38.12 costs for which the billings were made.

38.13 (b) Money deposited in the special account from the proceeds of a sale under section  
38.14 94.16, subdivision 3, paragraph (b), is appropriated to the commissioner to acquire  
38.15 facilities or renovate existing buildings for administrative use or to acquire land for,  
38.16 design, and construct administrative buildings for the Department of Natural Resources.

38.17 Sec. 5. Minnesota Statutes 2008, section 84.82, subdivision 3, is amended to read:

38.18 Subd. 3. **Fees for registration.** (a) The fee for registration of each snowmobile,  
38.19 other than those used for an agricultural purpose, as defined in section 84.92, subdivision  
38.20 1c, or those registered by a dealer or manufacturer pursuant to clause (b) or (c) shall be as  
38.21 follows: \$45 for three years and \$4 for a duplicate or transfer.

38.22 (b) The total registration fee for all snowmobiles owned by a dealer and operated for  
38.23 demonstration or testing purposes shall be \$50 per year.

38.24 (c) The total registration fee for all snowmobiles owned by a manufacturer and  
38.25 operated for research, testing, experimentation, or demonstration purposes shall be \$150  
38.26 per year. Dealer and manufacturer registrations are not transferable.

38.27 (d) The onetime fee for registration of an exempt snowmobile under subdivision  
38.28 6a is \$6.

38.29 Sec. 6. Minnesota Statutes 2008, section 84.82, is amended by adding a subdivision to  
38.30 read:

38.31 Subd. 6a. **Exemption; collector unlimited snowmobile use.** Snowmobiles may be  
38.32 issued an exempt registration if the machine is at least 25 years old. Exempt registration is

39.1 valid from the date of issuance until ownership of the snowmobile is transferred. Exempt  
39.2 registrations are not transferable.

39.3 Sec. 7. Minnesota Statutes 2008, section 84.92, subdivision 9, is amended to read:

39.4 Subd. 9. **Class 1 all-terrain vehicle.** "Class 1 all-terrain vehicle" means an  
39.5 all-terrain vehicle that has a total dry weight of less than ~~900~~ 1,000 pounds.

39.6 Sec. 8. Minnesota Statutes 2008, section 84.92, subdivision 10, is amended to read:

39.7 Subd. 10. **Class 2 all-terrain vehicle.** "Class 2 all-terrain vehicle" means an  
39.8 all-terrain vehicle that has a total dry weight of ~~900~~ 1,000 to ~~1,500~~ 1,800 pounds.

39.9 Sec. 9. Minnesota Statutes 2008, section 84.922, is amended by adding a subdivision  
39.10 to read:

39.11 Subd. 2b. **Collector unlimited use; exempt registration.** All-terrain vehicles may  
39.12 be issued an exempt registration if requested and the machine is at least 25 years old.  
39.13 Exempt registration is valid from the date of issuance until ownership of the all-terrain  
39.14 vehicle is transferred. Exempt registrations are not transferable.

39.15 Sec. 10. Minnesota Statutes 2008, section 84.922, subdivision 5, is amended to read:

39.16 Subd. 5. **Fees for registration.** (a) The fee for a three-year registration of  
39.17 an all-terrain vehicle under this section, other than those registered by a dealer or  
39.18 manufacturer under paragraph (b) or (c), is:

- 39.19 (1) for public use, \$45;  
39.20 (2) for private use, \$6; and  
39.21 (3) for a duplicate or transfer, \$4.

39.22 (b) The total registration fee for all-terrain vehicles owned by a dealer and operated  
39.23 for demonstration or testing purposes is \$50 per year. Dealer registrations are not  
39.24 transferable.

39.25 (c) The total registration fee for all-terrain vehicles owned by a manufacturer and  
39.26 operated for research, testing, experimentation, or demonstration purposes is \$150 per  
39.27 year. Manufacturer registrations are not transferable.

39.28 (d) The onetime fee for registration of an all-terrain vehicle under subdivision 2b  
39.29 is \$6.

39.30 (e) The fees collected under this subdivision must be credited to the all-terrain  
39.31 vehicle account.

Sec. 11. Minnesota Statutes 2008, section 84.925, subdivision 1, is amended to read:

Subdivision 1. **Program established.** (a) The commissioner shall establish a comprehensive all-terrain vehicle environmental and safety education and training program, including the preparation and dissemination of vehicle information and safety advice to the public, the training of all-terrain vehicle operators, and the issuance of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the all-terrain vehicle environmental and safety education and training course.

(b) For the purpose of administering the program and to defray a portion of the expenses of training and certifying vehicle operators, the commissioner shall collect a fee of \$15 from each person who receives the training. The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate all-terrain vehicle safety certificate. The commissioner shall establish the fee for a duplicate all-terrain vehicle safety certificate that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the service. Fee proceeds, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle account in the natural resources fund. In addition to the fee established by the commissioner, instructors may charge each person ~~the cost of~~ up to the established fee amount for class material materials and expenses.

(c) The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this section. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of vehicle operators. By June 30, 2003, the commissioner shall incorporate a riding component in the safety education and training program.

Sec. 12. Minnesota Statutes 2009 Supplement, section 84.928, subdivision 1, is amended to read:

Subdivision 1. **Operation on roads and rights-of-way.** (a) Unless otherwise allowed in sections 84.92 to 84.928, a person shall not operate an all-terrain vehicle in this state along or on the roadway, shoulder, or inside bank or slope of a public road right-of-way of a trunk, county state-aid, or county highway.



41.1 (b) A person may operate a class 1 all-terrain vehicle in the ditch or the outside  
41.2 bank or slope of a trunk, county state-aid, or county highway unless prohibited under  
41.3 paragraph (d) or (f).

41.4 (c) A person may operate a class 2 all-terrain vehicle within the public road  
41.5 right-of-way of a county state-aid or county highway on the extreme right-hand side of  
41.6 the road and left turns may be made from any part of the road if it is safe to do so under  
41.7 the prevailing conditions, unless prohibited under paragraph (d) or (f). A person may  
41.8 operate a class 2 all-terrain vehicle on the bank or ditch of a public road right-of-way on a  
41.9 designated class 2 all-terrain vehicle trail.

41.10 (d) A road authority as defined under section 160.02, subdivision 25, may after a  
41.11 public hearing restrict the use of all-terrain vehicles in the public road right-of-way under  
41.12 its jurisdiction.

41.13 (e) The restrictions in paragraphs (a), (d), (h), (i), and (j) do not apply to the  
41.14 operation of an all-terrain vehicle on the shoulder, inside bank or slope, ditch, or outside  
41.15 bank or slope of a trunk, interstate, county state-aid, or county highway;

41.16 (1) that is part of a funded grant-in-aid trail; or

41.17 (2) when the all-terrain vehicle is:

41.18 ~~(1)~~ owned by or operated under contract with a publicly or privately owned utility  
41.19 or pipeline company; and

41.20 ~~(2)~~ used for work on utilities or pipelines.

41.21 (f) The commissioner may limit the use of a right-of-way for a period of time if the  
41.22 commissioner determines that use of the right-of-way causes:

41.23 (1) degradation of vegetation on adjacent public property;

41.24 (2) siltation of waters of the state;

41.25 (3) impairment or enhancement to the act of taking game; or

41.26 (4) a threat to safety of the right-of-way users or to individuals on adjacent public  
41.27 property.

41.28 The commissioner must notify the road authority as soon as it is known that a closure  
41.29 will be ordered. The notice must state the reasons and duration of the closure.

41.30 (g) A person may operate an all-terrain vehicle registered for private use and used  
41.31 for agricultural purposes on a public road right-of-way of a trunk, county state-aid, or  
41.32 county highway in this state if the all-terrain vehicle is operated on the extreme right-hand  
41.33 side of the road, and left turns may be made from any part of the road if it is safe to do so  
41.34 under the prevailing conditions.

41.35 (h) A person shall not operate an all-terrain vehicle within the public road  
41.36 right-of-way of a trunk, county state-aid, or county highway from April 1 to August 1 in

the agricultural zone unless the vehicle is being used exclusively as transportation to and from work on agricultural lands. This paragraph does not apply to an agent or employee of a road authority, as defined in section 160.02, subdivision 25, or the Department of Natural Resources when performing or exercising official duties or powers.

(i) A person shall not operate an all-terrain vehicle within the public road right-of-way of a trunk, county state-aid, or county highway between the hours of one-half hour after sunset to one-half hour before sunrise, except on the right-hand side of the right-of-way and in the same direction as the highway traffic on the nearest lane of the adjacent roadway.

(j) A person shall not operate an all-terrain vehicle at any time within the right-of-way of an interstate highway or freeway within this state.

Sec. 13. Minnesota Statutes 2009 Supplement, section 85.015, subdivision 13, is amended to read:

Subd. 13. **Arrowhead Region Trails, in Cook, Lake, St. Louis, Pine, Carlton, Koochiching, and Itasca Counties.** (a)(1) The Taconite Trail shall originate at Ely in St. Louis County and extend southwesterly to Tower in St. Louis County, thence westerly to McCarthy Beach State Park in St. Louis County, thence southwesterly to Grand Rapids in Itasca County and there terminate;

(2) The C. J. Ramstad/Northshore Trail shall originate in Duluth in St. Louis County and extend northeasterly to Two Harbors in Lake County, thence northeasterly to Grand Marais in Cook County, thence northeasterly to the international boundary in the vicinity of the north shore of Lake Superior, and there terminate;

(3) The Grand Marais to International Falls Trail shall originate in Grand Marais in Cook County and extend northwesterly, outside of the Boundary Waters Canoe Area, to Ely in St. Louis County, thence southwesterly along the route of the Taconite Trail to Tower in St. Louis County, thence northwesterly through the Pelican Lake area in St. Louis County to International Falls in Koochiching County, and there terminate;

(4) The Becky Lourey Trail shall originate in Duluth in St. Louis County and extend southerly to St. Croix State Forest in Pine County.

(b) The trails shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Arrowhead Region trails may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the Legislative Advisory Commission before granting approval. Recommendations of the Legislative

43.1 Advisory Commission shall be advisory only. Failure or refusal of the commission to  
43.2 make a recommendation shall be deemed a negative recommendation.

43.3 Sec. 14. Minnesota Statutes 2008, section 85.015, subdivision 14, is amended to read:

43.4 Subd. 14. **Willard Munger Trail System, Chisago, Ramsey, Pine, St. Louis,**  
43.5 **Carlton, and Washington Counties.** (a) The trail shall consist of six segments. One  
43.6 segment shall be known as the Gateway Trail and shall originate at the State Capitol  
43.7 and extend northerly and northeasterly to William O'Brien State Park, thence northerly  
43.8 to Taylors Falls in Chisago County. ~~One segment shall be known as the Boundary Trail~~  
43.9 ~~and shall originate in Chisago County and extend into Duluth in St. Louis County.~~ One  
43.10 segment shall be known as the Browns Creek Trail and shall originate at Duluth Junction  
43.11 and extend into Stillwater in Washington County. One segment shall be known as the  
43.12 Munger Trail and shall originate at Hinckley in Pine County and extend through Moose  
43.13 Lake in Carlton County to Duluth in St. Louis County. One segment shall be known  
43.14 as the Alex Laveau Trail and shall originate in Carlton County at Carlton and extend  
43.15 through Wrenshall to the Minnesota-Wisconsin border. One segment shall be established  
43.16 that extends the trail to include the cities of Proctor, Duluth, and Hermantown in St.  
43.17 Louis County.

43.18 (b) The Gateway and Browns Creek Trails shall be developed primarily for hiking  
43.19 and nonmotorized riding and the remaining trails shall be developed primarily for riding  
43.20 and hiking.

43.21 (c) In addition to the authority granted in subdivision 1, lands and interests in lands  
43.22 for the Gateway and Browns Creek Trails may be acquired by eminent domain.

43.23 Sec. 15. Minnesota Statutes 2008, section 85.22, subdivision 5, is amended to read:

43.24 Subd. 5. **Exemption.** Purchases for resale or rental made from the state parks  
43.25 working capital ~~fund~~ and account are exempt from competitive bidding, notwithstanding  
43.26 chapter 16C.

43.27 Sec. 16. Minnesota Statutes 2008, section 85.32, subdivision 1, is amended to read:

43.28 Subdivision 1. **Areas marked.** The commissioner of natural resources is authorized  
43.29 in cooperation with local units of government and private individuals and groups when  
43.30 feasible to mark ~~canoe and boating routes~~ state water trails on the Little Fork, Big Fork,  
43.31 Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines,  
43.32 Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro, Pomme de Terre  
43.33 within Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in

44.1 Swift County to Montevideo in Chippewa County, Long Prairie, Red River of the North,  
44.2 Sauk, Otter Tail, Redwood, Blue Earth, and Crow Rivers which have historic and scenic  
44.3 values and to mark appropriately points of interest, portages, camp sites, and all dams,  
44.4 rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe,  
44.5 kayak, and watercraft travelers.

44.6 Sec. 17. Minnesota Statutes 2008, section 85.43, is amended to read:

44.7 **85.43 DISPOSITION OF RECEIPTS; PURPOSE.**

44.8 Fees from cross-country ski passes shall be deposited in the state treasury and  
44.9 credited to a cross-country ski account in the natural resources fund and, except for the  
44.10 electronic licensing system commission established by the commissioner under section  
44.11 84.027, subdivision 15, are appropriated to the commissioner of natural resources for  
44.12 the following purposes:

44.13 (1) grants-in-aid for cross-country ski trails sponsored by to:

44.14 (i) local units of government counties and municipalities for construction and  
44.15 maintenance of cross-country ski trails; and

44.16 (ii) special park districts as provided in section 85.44 for construction and  
44.17 maintenance of cross-country ski trails; and

44.18 (2) development and maintenance of state cross-country ski trails.

44.19 Sec. 18. Minnesota Statutes 2008, section 85.46, as amended by Laws 2009, chapter  
44.20 37, article 1, sections 22 to 24, is amended to read:

44.21 **85.46 HORSE ~~TRAIL~~ PASS.**

44.22 Subdivision 1. **Pass in possession.** (a) Except as provided in paragraph (b), while  
44.23 riding, leading, or driving a horse ~~on horse trails and associated day use areas on state~~  
44.24 ~~trails, in state parks, in state recreation areas, and in state forests, on lands administered by~~  
44.25 the commissioner, a person 16 years of age or over shall carry in immediate possession  
44.26 a valid horse ~~trail~~ pass. The pass must be available for inspection by a peace officer, a  
44.27 conservation officer, or an employee designated under section 84.0835.

44.28 (b) A valid horse ~~trail~~ pass is not required under this section for a person riding,  
44.29 leading, or driving a horse ~~only on the portion of a horse trail property~~ that is owned by  
44.30 the person or the person's spouse, child, parent, or guardian.

44.31 Subd. 2. **License agents.** (a) The commissioner of natural resources may appoint  
44.32 agents to issue and sell horse ~~trail~~ passes. The commissioner may revoke the appointment  
44.33 of an agent at any time.

(b) The commissioner may adopt additional rules as provided in section 97A.485, subdivision 11. An agent shall observe all rules adopted by the commissioner for the accounting and handling of passes according to section 97A.485, subdivision 11.

(c) An agent must promptly deposit and remit all money received from the sale of passes, except issuing fees, to the commissioner.

Subd. 3. **Issuance.** The commissioner of natural resources and agents shall issue and sell horse ~~trail~~ passes. The pass shall include the applicant's signature and other information deemed necessary by the commissioner. To be valid, a daily or annual pass must be signed by the person riding, leading, or driving the horse, and a commercial annual pass must be signed by the owner of the commercial ~~trail~~ riding facility.

Subd. 4. **Pass fees.** (a) The fee for an annual horse ~~trail~~ pass is \$20 for an individual 16 years of age and over. The fee shall be collected at the time the pass is purchased. Annual passes are valid for one year beginning January 1 and ending December 31.

(b) The fee for a daily horse ~~trail~~ pass is \$4 for an individual 16 years of age and over. The fee shall be collected at the time the pass is purchased. The daily pass is valid only for the date designated on the pass form.

(c) The fee for a commercial annual horse ~~trail~~ pass is \$200 and includes issuance of 15 passes. Additional or individual commercial annual horse ~~trail~~ passes may be purchased by the commercial ~~trail~~ riding facility owner at a fee of \$20 each. Commercial annual horse ~~trail~~ passes are valid for one year beginning January 1 and ending December 31 and may be affixed to the horse tack, saddle, or person. Commercial annual horse ~~trail~~ passes are not transferable to another commercial ~~trail~~ riding facility. For the purposes of this section, a "commercial ~~trail~~ riding facility" is an operation where horses are used for riding instruction or other equestrian activities for hire or use by others.

Subd. 5. **Issuing fee.** In addition to the fee for a horse ~~trail~~ pass, an issuing fee of \$1 per pass shall be charged. The issuing fee shall be retained by the seller of the pass. Issuing fees for passes sold by the commissioner of natural resources shall be deposited in the state treasury and credited to the horse ~~trail~~ pass account in the natural resources fund and are appropriated to the commissioner for the operation of the electronic licensing system. A pass shall indicate the amount of the fee that is retained by the seller.

Subd. 6. **Disposition of receipts.** Fees collected under this section, except for the issuing fee, shall be deposited in the state treasury and credited to the horse ~~trail~~ pass account in the natural resources fund. Except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, the fees are appropriated to the commissioner of natural resources for trail acquisition, trail and facility development, and maintenance, enforcement, and rehabilitation of horse trails or

trails authorized for horse use, whether for riding, leading, or driving, on ~~state trails and in state parks, state recreation areas, and state forests~~ land administered by the commissioner.

Subd. 7. **Duplicate horse trail passes.** The commissioner of natural resources and agents shall issue a duplicate pass to a person or commercial trail riding facility owner whose pass is lost or destroyed using the process established under section 97A.405, subdivision 3, and rules adopted thereunder. The fee for a duplicate horse trail pass is \$2, with an issuing fee of 50 cents.

Sec. 19. Minnesota Statutes 2009 Supplement, section 86A.09, subdivision 1, is amended to read:

Subdivision 1. **Master plan required.** No construction of new facilities or other development of an authorized unit, other than repairs and maintenance, shall commence until the managing agency has prepared and submitted to the commissioner of natural resources and the commissioner has reviewed, pursuant to this section, a master plan for administration of the unit in conformity with this section. No master plan is required for wildlife management areas that do not have resident managers, for scientific and natural areas, for water access sites, for aquatic management areas, for rest areas, or for boater waysides.

Sec. 20. Minnesota Statutes 2008, section 86B.101, is amended to read:

**86B.101 WATERCRAFT SAFETY AND EDUCATION PROGRAM.**

Subdivision 1. **Safety and education program.** The commissioner shall continue and expand the comprehensive ~~boat~~ watercraft safety and education program. The commissioner shall cooperate with ~~boaters~~ watercraft owners, governmental subdivisions, state agencies, other states, and the federal government in the operation of the program.

Subd. 2. **Youth watercraft safety and education course.** (a) The commissioner shall establish an educational course and a testing program for personal watercraft and watercraft operators and for persons age 12 or older but younger than age 18 required to take the watercraft safety and education course. The course shall have an invasive species component that includes the identification of invasive species and invasive species control requirements. The commissioner shall prescribe a written test as part of the course. A personal watercraft educational course and testing program that emphasizes safe and legal operation must be required for persons age 13 or older but younger than age 18 operating personal watercraft.

(b) The commissioner shall issue a watercraft operator's permit to a person age 12 or older but younger than age 18 who successfully completes the educational program and the written test.

Subd. 3. **Operator's permit.** The commissioner shall issue a watercraft operator's permit to a person who successfully qualifies for a watercraft operator's permit under the ~~boat~~ watercraft safety and education program.

Subd. 4. **~~Boat~~ Watercraft safety and education program; reciprocity with other states.** The commissioner may enter into reciprocity agreements or otherwise certify ~~boat~~ watercraft safety and education programs from other states that are substantially similar to in-state programs. The commissioner shall issue a watercraft operator's permit to a person who provides proof of completion of a program subject to a reciprocity agreement or certified as substantially similar.

Sec. 21. Minnesota Statutes 2008, section 97B.665, subdivision 2, is amended to read:

Subd. 2. **Petition to district court.** If a beaver dam causes a threat to personal safety or a serious threat to damage property, ~~and a person cannot obtain consent under subdivision 1,~~ a person may petition the district court for relief. The court may order the ~~commissioner~~ owners of private property where beaver dams are located to take action to reduce the threat. A permit is not required for an action ordered by the court. The action may include destruction or alteration of beaver dams and removal of beaver. This subdivision does not apply to state parks, state game refuges, and federal game refuges.

Sec. 22. Minnesota Statutes 2008, section 103A.305, is amended to read:

**103A.305 JURISDICTION.**

Sections 103A.301 to 103A.341 apply if the decision of an agency in a proceeding involves a question of water policy in one or more of the areas of water conservation, water pollution, preservation and management of wildlife, drainage, soil conservation, public recreation, forest management, and municipal planning under section 97A.135; 103A.411; 103E.011; 103E.015; 103G.245; 103G.261; 103G.271; 103G.275; 103G.281; ~~103G.295;~~ ~~subdivisions 1 and 2;~~ 103G.287; 103G.297 to 103G.311; 103G.315, subdivisions 1, 10, 11, and 12; 103G.401; 103G.405; 103I.681, subdivision 1; 115.04; or 115.05.

Sec. 23. Minnesota Statutes 2009 Supplement, section 103G.201, is amended to read:

**103G.201 PUBLIC WATERS INVENTORY.**

(a) The commissioner shall maintain a public waters inventory map of each county that shows the waters of this state that are designated as public waters under the public

waters inventory and classification procedures prescribed under Laws 1979, chapter 199, and shall provide access to a copy of the maps ~~and lists~~. As county public waters inventory maps ~~and lists~~ are revised according to this section, the commissioner shall send a notification or a copy of the maps ~~and lists~~ to the auditor of each affected county.

(b) The commissioner is authorized to revise the ~~list~~ map of public waters established under Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands under section 103G.005, subdivision 19. The commissioner may only reclassify public waters wetlands as public waters if:

(1) they are assigned a shoreland management classification by the commissioner under sections 103F.201 to 103F.221;

(2) they are classified as lacustrine wetlands or deepwater habitats according to Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al., 1979 edition); or

(3) the state or federal government has become titleholder to any of the beds or shores of the public waters wetlands, subsequent to the preparation of the public waters inventory map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state or federal agency declares that the water is necessary for the purposes of the public ownership.

(c) The commissioner must provide notice of the reclassification to the local government unit, the county board, the watershed district, if one exists for the area, and the soil and water conservation district. Within 60 days of receiving notice from the commissioner, a party required to receive the notice may provide a resolution stating objections to the reclassification. If the commissioner receives an objection from a party required to receive the notice, the reclassification is not effective. If the commissioner does not receive an objection from a party required to receive the notice, the reclassification of a wetland under paragraph (b) is effective 60 days after the notice is received by all of the parties.

(d) The commissioner shall give priority to the reclassification of public waters wetlands that are or have the potential to be affected by public works projects.

(e) The commissioner may revise the public waters inventory map ~~and list~~ of each county:

(1) to reflect the changes authorized in paragraph (b); and

(2) as needed, to:

(i) correct errors in the original inventory;



(ii) add or subtract trout stream tributaries within sections that contain a designated trout stream following written notice to the landowner;

(iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50 acres and the shoreland has been zoned for residential development; and

(iv) add or subtract public waters that have been created or eliminated as a requirement of a permit authorized by the commissioner under section 103G.245.

Sec. 24. Minnesota Statutes 2008, section 103G.271, subdivision 3, is amended to read:

Subd. 3. **Permit restriction during summer months.** The commissioner must not modify or restrict the amount of appropriation from a groundwater source authorized in a water use permit issued to irrigate agricultural land ~~under section 103G.295, subdivision 2,~~ between May 1 and October 1, unless the commissioner determines the authorized amount of appropriation endangers a domestic water supply.

Sec. 25. **[103G.282] MONITORING TO EVALUATE IMPACTS FROM APPROPRIATIONS.**

Subdivision 1. **Monitoring equipment.** The commissioner may require the installation and maintenance of monitoring equipment to evaluate water resource impacts from permitted appropriations and proposed projects that require a permit. Monitoring for water resources that supply more than one appropriator must be designed to minimize costs to individual appropriators.

Subd. 2. **Measuring devices required.** Monitoring installations required under subdivision 1 must be equipped with automated measuring devices to measure water levels, flows, or conditions. The commissioner may determine the frequency of measurements and other measuring methods based on the quantity of water appropriated or used, the source of water, potential connections to other water resources, the method of appropriating or using water, seasonal and long-term changes in water levels, and any other facts supplied to the commissioner.

Subd. 3. **Reports and costs.** (a) Records of water measurements under subdivision 2 must be kept for each installation. The measurements must be reported annually to the commissioner on or before February 15 of the following year in a format or on forms prescribed by the commissioner.

(b) The owner or person in charge of an installation for appropriating or using waters of the state or a proposal that requires a permit is responsible for all costs related to establishing and maintaining monitoring installations and to measuring and reporting data. Monitoring costs for water resources that supply more than one appropriator may be

50.1 distributed among all users within a monitoring area determined by the commissioner and  
50.2 assessed based on volumes of water appropriated and proximity to resources of concern.

50.3 Sec. 26. Minnesota Statutes 2008, section 103G.285, subdivision 5, is amended to read:

50.4 Subd. 5. **Trout streams.** Permits issued after June 3, 1977, to appropriate water  
50.5 from streams designated trout streams by the commissioner's orders under section ~~97C.021~~  
50.6 97C.005 must be limited to temporary appropriations.

50.7 Sec. 27. **[103G.287] GROUNDWATER APPROPRIATIONS.**

50.8 Subdivision 1. **Waiver.** The commissioner may waive a limitation or requirement in  
50.9 subdivisions 2 to 6 for just cause.

50.10 Subd. 2. **Applications for groundwater appropriations.** Groundwater use permit  
50.11 applications are not complete until the applicant has supplied:

50.12 (1) a water well record as required by section 103I.205, subdivision 9, information  
50.13 on the subsurface geologic formations penetrated by the well and the formation or aquifer  
50.14 that will serve as the water source, and geologic information from test holes drilled to  
50.15 locate the site of the production well;

50.16 (2) the maximum daily, seasonal, and annual pumpage rates and volumes being  
50.17 requested;

50.18 (3) information on groundwater quality in terms of the measures of quality  
50.19 commonly specified for the proposed water use and details on water treatment necessary  
50.20 for the proposed use;

50.21 (4) an inventory of existing wells within 1-1/2 miles of the proposed production well  
50.22 or within the area of influence, as determined by the commissioner. The inventory must  
50.23 include information on well locations, depths, geologic formations, depth of the pump or  
50.24 intake, pumping and nonpumping water levels, and details of well construction; and

50.25 (5) the results of an aquifer test completed according to specifications approved by  
50.26 the commissioner. The test must be conducted at the maximum pumping rate requested  
50.27 in the application and for a length of time adequate to assess or predict impacts to other  
50.28 wells and surface water and groundwater resources. The permit applicant is responsible  
50.29 for all costs related to the aquifer test, including the construction of groundwater and  
50.30 surface water monitoring installations, and water level readings before, during, and after  
50.31 the aquifer test.

50.32 Subd. 3. **Relationship to surface water resources.** Groundwater appropriations  
50.33 that have potential impacts to surface waters are subject to applicable provisions in  
50.34 section 103G.285.

51.1            Subd. 4. **Protection of groundwater supplies.** The commissioner may establish  
51.2 water appropriation limits to protect groundwater resources. When establishing water  
51.3 appropriation limits to protect groundwater resources, the commissioner must consider  
51.4 current and projected water levels and water supply management objectives in section  
51.5 103G.265, subdivision 1.

51.6            Subd. 5. **Groundwater management areas.** The commissioner may designate  
51.7 groundwater management areas and limit total annual water appropriations and uses  
51.8 within a designated area to ensure future supplies. Water appropriations and uses within a  
51.9 designated management area must be consistent with a plan approved by the commissioner  
51.10 that addresses water conservation requirements and water allocation priorities established  
51.11 in section 103G.261.

51.12           Subd. 6. **Interference with other wells.** The commissioner may issue water use  
51.13 permits for appropriation from groundwater only if the commissioner determines that  
51.14 adequate water supplies are available for the proposed use without reducing water levels  
51.15 beyond the reach of public water supply and private domestic wells constructed according  
51.16 to Minnesota Rules, chapter 4725.

51.17           Sec. 28. Minnesota Statutes 2008, section 103G.301, subdivision 6, is amended to read:

51.18           **Subd. 6. Filing application.** ~~(a)~~ An application for a permit must be filed with the  
51.19 commissioner and if the proposed activity for which the permit is requested is within a  
51.20 municipality, or is within or affects a watershed district or a soil and water conservation  
51.21 district, a copy of the application with maps, plans, and specifications must be served on  
51.22 the mayor of the municipality, the secretary of the board of managers of the watershed  
51.23 district, and the secretary of the board of supervisors of the soil and water conservation  
51.24 district.

51.25           ~~(b) If the application is required to be served on a local governmental unit under~~  
51.26 ~~this subdivision, proof of service must be included with the application and filed with~~  
51.27 ~~the commissioner.~~

51.28           Sec. 29. Minnesota Statutes 2008, section 103G.305, subdivision 2, is amended to read:

51.29           **Subd. 2. Exception.** The requirements of subdivision 1 do not apply to applications  
51.30 for a water use permit for:

51.31           ~~(1) appropriations from waters of the state for irrigation, under section 103G.295;~~

51.32           ~~(2)~~ appropriations for diversion from the basin of origin of more than 2,000,000  
51.33 gallons per day average in a 30-day period; or

52.1 ~~(3)~~ (2) appropriations with a consumptive use of more than 2,000,000 gallons per  
52.2 day average for a 30-day period.

52.3 Sec. 30. Minnesota Statutes 2008, section 103G.315, subdivision 11, is amended to  
52.4 read:

52.5 Subd. 11. **Limitations on permits.** (a) Except as otherwise expressly provided by  
52.6 law, a permit issued by the commissioner under this chapter is subject to:

52.7 (1) cancellation by the commissioner at any time if necessary to protect the public  
52.8 interests;

52.9 (2) further conditions on the term of the permit or its cancellation as the  
52.10 commissioner may prescribe and amend and reissue the permit; and

52.11 (3) applicable law existing before or after the issuance of the permit.

52.12 (b) Permits issued to irrigate agricultural land ~~under section 103G.295, or considered~~  
52.13 ~~issued~~, are subject to this subdivision and are subject to cancellation by the commissioner  
52.14 upon the recommendation of the supervisors of the soil and water conservation district  
52.15 where the land to be irrigated is located.

52.16 Sec. 31. Minnesota Statutes 2008, section 103G.515, subdivision 5, is amended to read:

52.17 Subd. 5. **Removal of hazardous dams.** Notwithstanding any provision of  
52.18 this section or of section 103G.511 relating to cost sharing or apportionment, the  
52.19 commissioner, within the limits of legislative appropriation, may assume or pay the entire  
52.20 cost of removal of a privately or publicly owned dam upon determining removal provides  
52.21 the lowest cost solution and:

52.22 (1) that continued existence of the structure presents a significant public safety  
52.23 hazard, or prevents restoration of an important fisheries resource; or

52.24 (2) that public or private property is being damaged due to partial failure of the  
52.25 structure, ~~and that an attempt to assess costs of removal against the private or public~~  
52.26 ~~owner would be of no avail.~~

52.27 Sec. 32. **[103G.651] REMOVING SUNKEN LOGS FROM PUBLIC WATERS**  
52.28 **PROHIBITED.**

52.29 The commissioner of natural resources must not issue leases to remove sunken logs  
52.30 or issue permits for the removal of sunken logs from public waters.

52.31 Sec. 33. Minnesota Statutes 2008, section 290.431, is amended to read:

52.32 **290.431 NONGAME WILDLIFE CHECKOFF.**

Every individual who files an income tax return or property tax refund claim form may designate on their original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that individual and paid into an account to be established for the management of nongame wildlife. The commissioner of revenue shall, on the income tax return and the property tax refund claim form, notify filers of their right to designate that a portion of their tax or refund shall be paid into the nongame wildlife management account. The sum of the amounts so designated to be paid shall be credited to the nongame wildlife management account for use by the nongame program ~~of the section of wildlife~~ in the Department of Natural Resources. All interest earned on money accrued, gifts to the program, contributions to the program, and reimbursements of expenditures in the nongame wildlife management account shall be credited to the account by the commissioner of management and budget, except that gifts or contributions received directly by the commissioner of natural resources and directed by the contributor for use in specific nongame field projects or geographic areas shall be handled according to section 84.085, subdivision 1. The commissioner of natural resources shall submit a work program for each fiscal year and semiannual progress reports to the Legislative-Citizen Commission on Minnesota Resources in the form determined by the commission. ~~None of the money provided in this section may be expended unless the commission has approved the work program.~~

The state pledges and agrees with all contributors to the nongame wildlife management account to use the funds contributed solely for the management of nongame wildlife projects and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of nongame wildlife. The commissioner may use funds appropriated for nongame wildlife programs for the purpose of developing, preserving, restoring, and maintaining wintering habitat for neotropical migrant birds in Latin America and the Caribbean under agreement or contract with any nonprofit organization dedicated to the construction, maintenance, and repair of such projects that are acceptable to the governmental agency having jurisdiction over the land and water affected by the projects. Under this authority, the commissioner may execute agreements and contracts if the commissioner determines that the use of the funds will benefit neotropical migrant birds that breed in or migrate through the state.

Sec. 34. Minnesota Statutes 2008, section 290.432, is amended to read:

**290.432 CORPORATE NONGAME WILDLIFE CHECKOFF.**

A corporation that files an income tax return may designate on its original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that corporation and paid into the nongame wildlife management account established by section 290.431 for use by ~~the section of wildlife in~~ the Department of Natural Resources for its nongame wildlife program. The commissioner of revenue shall, on the corporate tax return, notify filers of their right to designate that a portion of their tax return be paid into the nongame wildlife management account for the protection of endangered natural resources. All interest earned on money accrued, gifts to the program, contributions to the program, and reimbursements of expenditures in the nongame wildlife management account shall be credited to the account by the commissioner of management and budget, except that gifts or contributions received directly by the commissioner of natural resources and directed by the contributor for use in specific nongame field projects or geographic areas shall be handled according to section 84.085, subdivision 1. The commissioner of natural resources shall submit a work program for each fiscal year to the Legislative-Citizen Commission on Minnesota Resources in the form determined by the commission. ~~None of the money provided in this section may be spent unless the commission has approved the work program.~~

The state pledges and agrees with all corporate contributors to the nongame wildlife account to use the funds contributed solely for the nongame wildlife program and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of those programs.

**Sec. 35. REPORT ON PAYMENTS IN LIEU OF TAXES FOR STATE NATURAL RESOURCE LANDS.**

By January 15, 2011, the commissioner of revenue, after consultation with the commissioner of natural resources and representatives from affected local units of government and other interested parties, shall report to the senate and house of representatives natural resources and tax policy and finance committees and divisions with recommended changes to payment in lieu of taxes for natural resource lands under Minnesota Statutes, sections 97A.061 and 477A.11 to 477A.145. The report shall include an analysis of the current payment and distribution system, and any recommended changes to:

- (1) the rate of payments for specific classes of natural resource lands; and
- (2) the formula for distribution of the payments to local units of government.

Sec. 36. **REVISOR'S INSTRUCTION.**

(a) The revisor of statutes shall change the term "horse trail pass" to "horse pass" wherever it appears in Minnesota Statutes and Minnesota Rules.

(b) The revisor of statutes shall change the term "canoe and boating routes" or similar term to "state water trails" or similar term wherever it appears in Minnesota Statutes and Minnesota Rules.

(c) The revisor of statutes shall change the term "Minnesota Conservation Corps" to "Conservation Corps Minnesota" wherever it appears in Minnesota Statutes.

Sec. 37. **REPEALER.**

(a) Minnesota Statutes 2008, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 97B.665, subdivision 1; 103G.295; and 103G.650, are repealed.

(b) Minnesota Statutes 2009 Supplement, sections 3.3006; and 84.02, subdivisions 4a, 6a, and 6b, are repealed.

(c) Laws 2009, chapter 172, article 5, section 8, is repealed.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

**ARTICLE 3**

**STATE LANDS**

Section 1. Minnesota Statutes 2008, section 84.0272, subdivision 2, is amended to read:

Subd. 2. **Stream easements.** (a) Notwithstanding subdivision 1, the commissioner may acquire permanent stream easements for angler access, fish management, and habitat work for a onetime payment based on a value attributed to both the stream and the easement corridor. The payment shall equal:

(1) the per linear foot of stream within the easement corridor times \$5; plus

(2) the easement corridor acres times the estimated market value.

(b) The estimated market value is equal to:

(1) ~~the total farm market value plus the timberlands value~~ agricultural market value plus the rural vacant market value plus the managed forest market value; divided by

(2) ~~the acres of deeded farmland plus the acres of timber~~ agricultural land plus the rural vacant land plus the managed forest land.

(c) ~~The total farm market value, timberlands value, acres of deeded farmland, and acres of timber~~ agricultural market value, rural vacant market value, and managed forest market value or equivalent are determined from data collected by the Department of Revenue during its annual spring mini abstract survey. If the Department of Revenue

changes its property type groups for its annual spring mini abstract survey, the agricultural market value, the rural vacant market value, and the managed forest market value shall be determined by the commissioner from data collected by the Department of Revenue in a manner that provides the most reasonable substitute for the market values as presently reported. The commissioner must use the most recent available data for the city or township within which the easement corridor is located.

(d) The commissioner shall periodically review the easement payment rates under this subdivision to determine whether the stream easement payments reflect current shoreland market values. If the commissioner determines that the easements do not reflect current shoreland market values, the commissioner shall report to the senate and house of representatives natural resources policy committees with recommendations for changes to this subdivision that are necessary for the stream easement payment rates to reflect current shoreland market values. The recommendations may include an adjustment to the dollar amount in paragraph (a), clause (1).

Sec. 2. Minnesota Statutes 2008, section 85.012, subdivision 40, is amended to read:

Subd. 40. McCarthy Beach State Park, St. Louis ~~County~~ and Itasca Counties, which is hereby renamed from McCarthy Beach Memorial State Park.

Sec. 3. **[85.0144] HILL-ANNEX MINE STATE PARK; HISTORIC PROPERTY EXEMPTION.**

In accordance with Laws 1988, chapter 686, article 1, section 53, that provided that mining may be conducted on Hill-Annex Mine State Park in the future and that portions of the surface estate may be necessary for these mining operations, section 138.665, subdivision 2, does not apply to the removal of any taconite or any iron-bearing material stockpiles within the Hill-Annex Mine State Park.

Sec. 4. Minnesota Statutes 2008, section 89.032, subdivision 2, is amended to read:

Subd. 2. **Acquisition for state forests.** The commissioner may acquire lands or interest in lands for state forest purposes. The land or interests in land may be subject to mineral reservations.

Sec. 5. Laws 2008, chapter 368, article 1, section 34, as amended by Laws 2009, chapter 176, article 4, section 2, is amended to read:

Sec. 34. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN COUNTY.**



(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources shall sell to the city of Wayzata the surplus land that is described in paragraph (c) ~~upon verification that the city has acquired the adjacent parcel, currently occupied by a gas station.~~

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land described in paragraph (c) to the city of Wayzata, for ~~up to \$75,000 plus transaction costs~~ \$1, but the conveyance must provide that the land described in paragraph (c) be used for a public road and reverts to the state if the city of Wayzata fails to provide for public use of the land as a road or abandons the public use of the land.

(c) The land that may be sold is located in Hennepin County and is described as: Tract F, Registered Land Survey No. 1168.

(d) The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to the city of Wayzata.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 6. Laws 2009, chapter 176, article 4, section 9, is amended to read:

**Sec. 9. PRIVATE SALE OF SURPLUS LAND; CLEARWATER COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land to the White Earth Band of Ojibwe for ~~less than the value of the land as determined by the commissioner~~ \$1, but the conveyance must provide that the land be used for the public and reverts to the state if the band fails to provide for public use or abandons the public use of the land. The conveyance may reserve an easement for ingress and egress.

(c) The land that may be sold is located in Clearwater County and is described as: the West 400 feet of the South 750 feet of Government Lot 3, Section 31, Township 145 North, Range 38 West, containing 6.89 acres, more or less.

(d) The Department of Natural Resources has determined that the land and building are no longer needed for natural resource purposes.

Sec. 7. **ADDITIONS TO STATE PARKS.**

**Subdivision 1. [85.012] [Subd. 19.] Forestville Mystery Cave State Park, Fillmore County.** The following areas are added to Forestville Mystery Cave State Park, all in Fillmore County:

(1) commencing at the northeast corner of Section 14, Township 102 North, Range 12 West; thence West 1,608.8 feet; thence South 2 degrees 50 minutes West 1,260.4 feet; thence North 89 degrees 57 minutes West 656 feet; thence South 0 degrees 39 minutes West 541.4 feet; thence North 89 degrees 57 minutes West 302.7 feet; thence South 0 degrees 39 minutes West 347.1 feet; thence South 89 degrees 58 minutes East 132 feet; thence South 0 degrees 39 minutes West 496 feet; thence South 89 degrees 58 minutes East 495 feet; thence South 54 degrees East 990 feet; thence South 39 degrees East 295 feet; thence South 84 degrees East 594 feet; thence South 64 degrees East 148.5 feet; thence South 66 degrees East 462 feet; thence North 0 degrees 45 minutes East 3763 feet to beginning;

(2) that part of the East Half of the Southeast Quarter of Section 14, Township 102 North, Range 12 West, lying North of the south bank of the North Branch Creek, also known as Forestville Creek. Said parcel of real estate being more fully described as follows: commencing at the northeast corner of Section 14, proceed West, a distance of 1,608.8 feet; thence South 2 degrees 50 minutes West a distance of 1,260.4 feet; thence North 89 degrees 57 minutes West, a distance of 656 feet; thence South 0 degrees 39 minutes West, a distance of 541.4 feet to the beginning corner. From the point of beginning, continue North 89 degrees 57 minutes West, a distance of 302.7 feet; thence South 0 degrees 39 minutes West a distance of 347.1 feet; thence South 89 degrees 58 minutes East, a distance of 132 feet; thence South 0 degrees 39 minutes West, a distance of 496 feet; thence South 89 degrees 58 minutes East a distance of 363 feet; thence South 54 degrees East 990 feet; thence South 39 degrees East 295 feet; thence South 84 degrees East 594 feet; thence South 64 degrees East 148.5 feet; thence South 66 degrees East 462 feet, to the section line; thence North on the section line, a distance of 1,783 feet; thence North 85 degrees 34 minutes West a distance of 2,340.2 feet to the beginning corner;

(3) the South Half of the Northeast Quarter of Section 23, Township 102, Range 12, Fillmore County, Minnesota, except the South Half of the Southeast Quarter of the Southeast Quarter of said Northeast Quarter, and also except that part thereof lying West of the center of County Road No. 12;

(4) that part of the North Half of the Southwest Quarter of Section 23, Township 102, Range 12, Fillmore County, Minnesota, lying northerly and easterly of the following described line: commencing at a point 288.4 feet North of the southwest corner of the

59.1 Northwest Quarter of the Southwest Quarter of said Section 23; thence North 132 feet, to  
59.2 the point of beginning of the line to be described; thence East 1,800 feet, to the center  
59.3 of river; thence South 6 degrees East 133 feet to intersect the hereinafter described Line  
59.4 X; thence easterly along said Line X to the hereinafter described Point A; thence South,  
59.5 parallel with the west line of said Southwest Quarter to the south line of said North Half of  
59.6 said Southwest Quarter and said line there terminating. Said Line X and Point A being  
59.7 described as follows: commencing at the southwest corner of the Northwest Quarter of  
59.8 the Southwest Quarter of said Section 23; thence running North 4.37 chains; thence East,  
59.9 along a line referred to as Line X in the above description, a distance of 27.25 chains to a  
59.10 point referred to as Point A in the above description;

59.11 (5) the East Half of the Southeast Quarter of the Southwest Quarter of Section 23,  
59.12 Township 102, Range 12, Fillmore County, Minnesota; and

59.13 (6) the Southeast Quarter of Section 23, Township 102, Range 12, Fillmore County,  
59.14 Minnesota, except the North Half of the Northeast Quarter of the Northeast Quarter of  
59.15 said Southeast Quarter.

59.16 Subd. 2. [85.012] [Subd. 31.] Judge C. R. Magney State Park, Cook County.  
59.17 The following areas are added to Judge C. R. Magney State Park, all in Cook County:  
59.18 the Northwest Quarter of the Northwest Quarter, the Northeast Quarter of the Northwest  
59.19 Quarter, and the Northwest Quarter of the Northeast Quarter, all in Section 5, Township  
59.20 62 North, Range 3 East.

59.21 Subd. 3. [85.012] [Subd. 54.] Split Rock Lighthouse State Park, Lake County.  
59.22 The following areas are added to Split Rock Lighthouse State Park, all in Lake County: the  
59.23 Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast  
59.24 Quarter, all in Section 32, Township 55 North, Range 8 West.

59.25 Subd. 4. [85.012] [Subd. 55a.] Tettegouche State Park, Lake County. The  
59.26 following areas are added to Tettegouche State Park:

59.27 (1) that part of Government Lot 2, Section 15, Township 56, Range 7, Lake County,  
59.28 Minnesota, described as follows: commencing at the quarter corner between said Section  
59.29 15 and Section 22, Township 56, Range 7; thence East, along the section line between said  
59.30 Sections 15 and 22, a distance of 503.0 feet; thence northeasterly, deflecting to the left 75  
59.31 degrees 00 minutes a distance of 425.0 feet, to a point designated by a two-inch iron pipe,  
59.32 being the point of beginning; thence northwesterly, to a point on the west line of said Lot 2  
59.33 distant approximately 970.0 feet North of said quarter corner between Sections 15 and 22;  
59.34 thence North along said west line to the northwest corner of said Lot 2; thence East, along  
59.35 the north line of said Lot 2, approximately 240.0 feet; thence in a southeasterly direction  
59.36 to a point on the east side of a point of rocks projecting into Lake Superior, being marked

by an X; thence in a southwesterly direction, along the shore of said Lake Superior to the point of beginning. (X mark on rock being in line making a deflection angle of 45 degrees 51 minutes to the left with the east-west section line from a point on the section line 503.0 feet East of the quarter corner between said Sections 15 and 22 and being approximately 830 feet from said point on said section line.); and

(2) the Northeast Quarter of the Southwest Quarter of Section 15, Township 56, Range 7, Lake County, Minnesota.

Sec. 8. **DELETIONS FROM STATE PARKS.**

Subdivision 1. **[85.012] [Subd. 1a.] Afton State Park, Washington County.** The following area is deleted from Afton State Park: all that part of the Southwest Quarter of Section 3, Township 27, Range 20, Washington County, Minnesota, embraced within the recorded plat of ALPS ESTATES.

Subd. 2. **[85.012] [Subd. 14.] Crow Wing State Park, Crow Wing, Cass, and Morrison Counties.** The following areas are deleted from Crow Wing State Park:

(1) all that part of Government Lots 7 and 8, Section 24, Township 44, Range 32, Crow Wing County, Minnesota, embraced within the recorded plat of RED RIVER TRAIL; and

(2) all that part of Government Lot 7, Section 24, Township 44, Range 32, Crow Wing County, Minnesota, embraced within the recorded plat of LOGGER RUN.

Subd. 3. **[85.012] [Subd. 21.] Frontenac State Park, Goodhue County.** The following area is deleted from Frontenac State Park: that part of the Southeast Quarter, Section 11, Township 112 North, Range 13 West, being described as BLOCK P, GARRARD'S SOUTH EXTENSION TO FRONTENAC according to the plat on file and of record in the Office of the Recorder for Goodhue County, Minnesota, including any portions of vacated roadway which have attached thereto.

Subd. 4. **[85.012] [Subd. 26.] Hayes Lake State Park, Roseau County.** The following area is deleted from Hayes Lake State Park: the West 45.00 feet of the North 160.7 feet of the South 263.58 feet of the Southwest Quarter of the Northeast Quarter of Section 32, Township 160, Range 38, Roseau County, Minnesota.

Subd. 5. **[85.012] [Subd. 40.] McCarthy Beach State Park, St. Louis and Itasca Counties.** The following area is deleted from McCarthy Beach State Park in Itasca County: all that part of the Northeast Quarter of the Southeast Quarter, Section 1, Township 60 North, Range 22 West, embraced within the recorded plat of "TRUST," as depicted thereon.

Subd. 6. [85.012] [Subd. 41.] Maplewood State Park, Otter Tail County. The following areas are deleted from Maplewood State Park:

(1) that part of Government Lot 4, Section 9, Township 135, Range 42, Otter Tail County, Minnesota, embraced within the recorded plat of South Lida Shores, according to the recorded plat thereof;

(2) that part of Government Lot 4, Section 9, Township 135, Range 42, Otter Tail County, Minnesota, embraced within the recorded plat of Greens Isle View Addition, according to the recorded plat thereof;

(3) that part of Government Lot 4, Section 9, Township 135, Range 42, Otter Tail County, Minnesota, described as follows: beginning at a point located by running West 401 feet from the northeast corner of said Government Lot 4 in Section 9; thence South 47 degrees 10 minutes West 100 feet; thence South 52 degrees 19 minutes West along the lakeshore of Lake Lida a distance of 50 feet; thence South 42 degrees 50 minutes East 200 feet; thence North 52 degrees 19 minutes East 50 feet; thence North 42 degrees 50 minutes West 100 feet; thence North 47 degrees 10 minutes East 100 feet; thence North 42 degrees 50 minutes West, 100 feet to the point of beginning;

(4) that part of Government Lot 5, Section 9, Township 135, Range 42, Otter Tail County, Minnesota, described as follows: commencing at the northeast corner of Government Lot 4 in said Section 9; thence on an assumed bearing of West, along the north line of said Government Lot 4, a distance of 130 feet, to intersect the shore of South Lida Lake, said point of intersection being the point of beginning of the tract of land to be described; thence return on a bearing of East, a distance of 130 feet, to said northeast corner of Government Lot 4; thence North 03 degrees 46 minutes 00 seconds West 224.40 feet, along the centerline of a township road; thence North 08 degrees 31 minutes 00 seconds East 346.60 feet along said centerline; thence North 81 degrees 14 minutes 00 seconds West 34.00 feet to the westerly line of said township road; thence North 08 degrees 31 minutes 00 seconds East along said westerly line 125.00 feet; thence North 36 degrees 09 minutes 00 seconds West 230.00 feet; thence South 71 degrees 21 minutes 00 seconds West 93.00 feet, more or less to the easterly shoreline of South Lida Lake; thence southeasterly along said shoreline to the point of beginning; and

(5) that part of Government Lot 2, Section 33, Township 136, Range 42, Otter Tail County, Minnesota, described as follows: commencing at the East Quarter corner of said Section 33; thence on an assumed bearing of West, along the east-west quarter line of said Section 33, a distance of 3,994.0 feet; thence North 25 degrees East, a distance of 308.3 feet to the southwesterly right-of-way line of a public highway; thence North 40 degrees 00 minutes West, a distance of 169.0 feet, along said right-of-way; thence South

62.1 74 degrees 43 minutes West, a distance of 70.0 feet, more or less, to the shore of South  
62.2 Lida Lake; thence southwesterly, along said shoreline to the south line of said Government  
62.3 Lot 2; thence on a bearing of East, along the south line of said Government Lot 2, also  
62.4 being said east-west quarter line to the point of beginning.

62.5 Subd. 7. [85.012] [Subd. 54.] Split Rock Lighthouse State Park, Lake County.  
62.6 The following area is deleted from Split Rock Lighthouse State Park: the Southeast  
62.7 Quarter of the Southeast Quarter, Section 31, Township 55 North, Range 8 West, Lake  
62.8 County.

62.9 Sec. 9. **ADDITIONS TO STATE FORESTS.**

62.10 **[89.021] [Subd. 32.] Lyons State Forest.** The following area is added to the Lyons  
62.11 State Forest: Section 16, Township 135 North, Range 32 West, Cass County.

62.12 Sec. 10. **PRIVATE SALE OF SURPLUS STATE LAND; ANOKA COUNTY.**

62.13 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner  
62.14 of natural resources may sell by private sale to a political subdivision the surplus land  
62.15 that is described in paragraph (c).

62.16 (b) The conveyance must be in a form approved by the attorney general. The  
62.17 attorney general may make necessary changes to the legal description to correct errors  
62.18 and ensure accuracy.

62.19 (c) The land that may be sold is located in Anoka County and is described as: the  
62.20 East Half of the Southeast Quarter of Section 25, Township 32 North, Range 22 West,  
62.21 Anoka County, Minnesota, containing 80 acres, more or less.

62.22 (d) The Department of Natural Resources has determined that the state's land  
62.23 management interests would best be served if the land was conveyed to a political  
62.24 subdivision. A political subdivision would like to use this parcel as a wetland mitigation  
62.25 site.

62.26 (e) This sale is the result of the intent expressed by the city of Columbus and Anoka  
62.27 County to allow the commissioner of natural resources to replace the approximately 80  
62.28 acres of land with land adjacent to the Carlos Avery Wildlife Management Area from  
62.29 willing sellers as identified in the November 19, 2007, Department of Natural Resources'  
62.30 land acquisition plan.

62.31 Sec. 11. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
62.32 **WATER; BELTRAMI COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The conveyance must include a reservation of perpetual road easements described in paragraph (c) to the state for ingress and egress for constructing, repairing, maintaining, and operating an adjacent northern pike spawning and rearing area.

(c) The land that may be sold is located in Beltrami County and is described as:  
All that part of the Southwest Quarter of the Southwest Quarter and Government Lot 1, Section 21, Township 146 North, Range 31 West, bounded by the water's edge of Cass Lake and the following described lines: Commencing at the southwest corner of said section, thence North 00 degrees 07 minutes West, 691.2 feet on and along the west line of said section to the point of beginning; thence South 58 degrees 27 minutes East, 177.64 feet; thence South 65 degrees 00 minutes East, 162.35 feet; thence North 52 degrees 07 minutes East, 175.70 feet; thence North 86 degrees 05 minutes East, 232.35 feet; thence South 41 degrees 50 minutes East, 186.35 feet; thence South 25 degrees 59 minutes East, 122.0 feet; thence South 33 degrees 47 minutes West, 176.13 feet; thence South 26 degrees 31 minutes West, 157.26 feet; thence South 50 degrees 19 minutes East, 142.34 feet; thence North 88 degrees 05 minutes East, 66.15 feet to point "A"; thence North 67 degrees 06 minutes East, 442.0 feet; thence North 76 degrees 24 minutes East, 113.86 feet; thence North 80 degrees 48 minutes East, 88.96 feet to point "B"; thence South 17 degrees 17 minutes East, 138 feet, more or less, to the water's edge of Cass Lake and there terminating. And from the point of beginning; thence North 00 degrees 07 minutes West, 630.92 feet on and along the west line of said Section 21; thence South 75 degrees 27 minutes East, 206.01 feet; thence South 35 degrees 36 minutes East, 210.68 feet; thence South 37 degrees 07 minutes East, 230.53 feet; thence South 51 degrees 18 minutes East, 124.95 feet; thence North 55 degrees 37 minutes East, 156.60 feet; thence South 48 degrees 10 minutes East, 120.58 feet; thence South 89 degrees 59 minutes East, 197.76 feet; thence South 68 degrees 28 minutes East, 195.0 feet; thence South 38 degrees 25 minutes East, 162.17 feet; thence South 56 degrees 38 minutes East, 410.58 feet; thence South 31 degrees 06 minutes West, 203.30 feet; thence South 80 degrees 48 minutes West, 14.84 feet; thence South 17 degrees 17 minutes East, 133 feet, more or less, to the water's edge of Cass Lake and there terminating. Including all riparian rights to the contained 18.0 acres, more or less and subject to all existing easements.

64.1        Subject to a perpetual road easement for ingress and egress over and across the  
64.2 following described land in Government Lot 1 of said section described as follows:  
64.3 Beginning at point "B," said point being on the southerly boundary of the above described  
64.4 tract; thence North 80 degrees 48 minutes East, 20.2 feet; thence South 17 degrees 17  
64.5 minutes East, 33.33 feet; thence South 80 degrees 48 minutes West, 20.2 feet; thence  
64.6 North 17 degrees 17 minutes West, 33.33 feet to point "B" and the point of beginning.

64.7        Except that part of Government Lot 1 of Section 21, Township 146 North, Range  
64.8 31 West, described as follows: Commencing at the southwest corner of said Section 21;  
64.9 thence North 00 degrees 07 minutes West, 1,322.12 feet along the west line of said Section  
64.10 21; thence South 75 degrees 27 minutes East, 206.01 feet; thence South 35 degrees 36  
64.11 minutes East, 210.68 feet; thence South 37 degrees 07 minutes East, 230.53 feet; thence  
64.12 South 51 degrees 18 minutes East, 124.95 feet; thence North 55 degrees 37 minutes East,  
64.13 156.60 feet; thence South 48 degrees 10 minutes East, 120.58 feet; thence South 89  
64.14 degrees 59 minutes East, 197.76 feet; thence South 68 degrees 28 minutes East, 195.0  
64.15 feet; thence South 38 degrees 25 minutes East, 162.17 feet; thence South 56 degrees 38  
64.16 minutes East, 383.52 feet, to the point of beginning; thence South 56 degrees 38 minutes  
64.17 East, 27.06 feet; thence South 31 degrees 06 minutes West, 203.30 feet; thence South 80  
64.18 degrees 48 minutes West, 2.52 feet; thence North 15 degrees 31 minutes West, 46.80  
64.19 feet; thence North 32 degrees 31 minutes East, 18.96 feet; thence North 59 degrees 39  
64.20 minutes East, 58.56 feet; thence North 20 degrees 23 minutes East, 105.29 feet to the  
64.21 point of beginning; containing 0.1 acres.

64.22        Together with a perpetual road easement for ingress and egress over and across the  
64.23 Southwest Quarter of the Southwest Quarter of said section being a strip of land 33 feet  
64.24 wide, lying 16.5 feet on each side of the following described lines: Commencing at the  
64.25 southwest corner of said Section 21; thence North 00 degrees 07 minutes West, 656.4 feet  
64.26 on and along the west line of said section to the point of beginning; thence South 42  
64.27 degrees 51 minutes East, 52.16 feet; thence South 70 degrees 04 minutes East, 214.3 feet;  
64.28 thence South 37 degrees 58 minutes East, 219.4 feet; thence South 49 degrees 02 minutes  
64.29 East, 252.6 feet; thence South 45 degrees 15 minutes East, 152.5 feet; thence South 50  
64.30 degrees 19 minutes East, 119.9 feet, to the south line of Section 21 and there terminating.

64.31        Together with a perpetual road easement for ingress and egress over and across  
64.32 the northwesterly 16.5 feet of the following described land in Government Lot 1 and  
64.33 the Southwest Quarter of the Southwest Quarter of said section described as follows:  
64.34 Beginning at point "A," said point being on the southern boundary of the above described  
64.35 tract; thence North 67 degrees 06 minutes East, 442.0 feet; thence North 76 degrees 24  
64.36 minutes East, 113.86 feet; thence North 80 degrees 48 minutes East, 88.96 feet; thence



65.1 South 17 degrees 17 minutes East, 33.33 feet; thence South 80 degrees 48 minutes West,  
65.2 92.38 feet; thence South 76 degrees 24 minutes West, 109.91 feet; thence South 67  
65.3 degrees 06 minutes West, 353.28 feet; thence South 88 degrees 05 minutes West, 92.15  
65.4 feet to point "A" and the point of beginning.

65.5 (d) The land borders Cass Lake. The land was acquired for a northern pike spawning  
65.6 area but has not been used for such purpose for 30 years. The Department of Natural  
65.7 Resources has determined that the land is not needed for natural resource purposes.

65.8 Sec. 12. **PRIVATE SALE OF SURPLUS STATE LAND; CARLTON COUNTY.**

65.9 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner  
65.10 of natural resources may sell by private sale to a political subdivision the surplus land  
65.11 that is described in paragraph (c).

65.12 (b) The conveyance must be in a form approved by the attorney general. The  
65.13 attorney general may make necessary changes to the legal description to correct errors  
65.14 and ensure accuracy.

65.15 (c) The land that may be sold is located in Carlton County and is described as: the  
65.16 Northeast Quarter of the Northwest Quarter of the Southeast Quarter, except state trunk  
65.17 highway right-of-way, Section 26, Township 49 North, Range 17 West, containing 9.324  
65.18 acres, more or less.

65.19 (d) The Department of Natural Resources has determined that the land is not needed  
65.20 for natural resource purposes.

65.21 Sec. 13. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
65.22 **WATER; CARLTON COUNTY.**

65.23 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,  
65.24 and the public sale provisions of Minnesota Statutes, chapter 282, Carlton County may sell  
65.25 by private sale the tax-forfeited land bordering public water that is described in paragraph  
65.26 (c), under the remaining provisions of Minnesota Statutes, chapter 282.

65.27 (b) The conveyances must be in a form approved by the attorney general. The  
65.28 attorney general may make changes to the land descriptions to correct errors and ensure  
65.29 accuracy.

65.30 (c) The land to be sold is located in Carlton County and is described as:

65.31 (1) part of Government Lot 1 commencing 42 rods 17 links East of the northwest  
65.32 corner of Section 6, Township 46, Range 18; thence South 82 rods 11 links; thence West to  
65.33 Bear Lake; thence West on the shoreline to the section line; thence North to the northwest  
65.34 corner; thence East to the beginning; except the highway right-of-way and except the part

northwest of Highway 35, Docket 214412 and except commencing at the northwest corner of said Government Lot 1; thence South 0 degrees 5 minutes 51 seconds West on the west line thereof 1,176.49 feet to a point on the southeast right-of-way line of the Interstate Highway 35 frontage road; thence North 51 degrees 42 minutes 51 seconds East on said right-of-way line 209.76 feet; thence South 19 degrees 45 minutes East 120.0 feet to the point of beginning; thence North 19 degrees 45 minutes West 120.0 feet; thence North 51 degrees 42 minutes 51 seconds East 80.0 feet to the MNDOT right-of-way monument; thence South 71 degrees 36 minutes 52 seconds East 216.61 feet; thence South 3 degrees 30 minutes West 195 feet, more or less, to the shore of Bear Lake; thence westerly on said shore 215 feet, more or less, to a point which bears 2 degrees 55 minutes East from the point of beginning; thence North 2 degrees 55 minutes West 150 feet, more or less, to the point of beginning, on Docket 240622 and except commencing at the northwest corner of said Government Lot 1; thence East along the north line 704.22 feet; thence South parallel to the west line 1,360.26 feet to the actual point of beginning; thence North 739.16 feet, more or less, to the southeast right-of-way line of the I-35 frontage road; thence southwest along said right-of-way line 608.48 feet, more or less, to the MNDOT monument; thence South 71 degrees 36 minutes 52 seconds East 216.61 feet; thence South 3 degrees 30 minutes West 195 feet, more or less, to the shore of Bear Lake; thence East on said shore 285 feet, more or less, to a point which bears North 00 degrees West from the point of beginning; thence South 90 degrees East 15 feet, more or less, to the point of beginning, Docket 282721 (parcel identification number 39-010-0920); and

(2) that part of Government Lot 2 lying North of Moose Horn River, Docket 262968, 272524, and 272525, Section 11, Township 46, Range 19 (parcel identification number 39-030-1220).

(d) The county has determined that the county's land management interests would best be served if the land was sold to adjoining landowners.

**Sec. 14. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CARLTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Carlton County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Carlton County and is described as:

(1) the Northwest Quarter of the Southeast Quarter, Section 27, Township 48 North, Range 18 West (parcel number 33-010-6300);

(2) the Southwest Quarter of the Northeast Quarter, except that part East of the Kettle River, Section 26, Township 48 North, Range 20 West (parcel number 90-010-4630); and

(3) the Northwest Quarter of the Southeast Quarter or Government Lot 5, Section 12, Township 49 North, Range 19 West (parcel number 94-026-2020).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 15. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, and upon completion of exchange of the school trust land for acquired land, the commissioner of natural resources may sell to a school district by private sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land to a school district for less than the value of the land as determined by the commissioner, but the conveyance must provide that the land described in paragraph (c) be used for an educational unit managed forest and reverts to the state if the school district fails to provide for or abandons the educational unit managed forest use of the land.

(c) The land that may be sold is located in Cass County and is described as:

(1) the Southwest Quarter of the Southwest Quarter of Section 27;

(2) the Southeast Quarter of the Southeast Quarter of Section 28;

(3) Government Lot 11 of Section 33; and

(4) Government Lot 14 of Section 34,

all in Township 141 North, Range 28 West, containing a total of 98.7 acres, more or less.

(d) The land borders Nellie Lake. Independent School District No. 118, Longville, has inadvertently trespassed upon the land for the establishment of an educational unit managed forest under Minnesota Statutes, section 89.41. The commissioner of natural resources has determined that the state's land management interests would best be served if the land was managed as an educational unit managed forest. Since the land is currently school trust land, the commissioner of natural resources shall first exchange the school trust land for acquired land prior to sale.

68.1        Sec. 16. **PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND**  
68.2 **BORDERING PUBLIC WATER; CASS COUNTY.**

68.3            (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
68.4 commissioner of natural resources may sell by public or private sale the surplus land  
68.5 bordering public water that is described in paragraph (c).

68.6            (b) The conveyance must be in a form approved by the attorney general. The  
68.7 attorney general may make necessary changes to the legal description to correct errors and  
68.8 ensure accuracy. The commissioner may sell to a local unit of government for less than the  
68.9 value of the land, as determined by the commissioner, but the conveyance must provide  
68.10 that the land be used for the public and reverts to the state if the local unit of government  
68.11 fails to provide for public use or abandons the public use of the land.

68.12           (c) The land that may be sold is located in Cass County and is described as: Lot 7,  
68.13 Block 1, Dell's Sleepy Hollow, Cass County, Minnesota, according to the recorded plat  
68.14 thereof, containing 0.54 acres, more or less.

68.15           (d) The land borders Woman Lake. The Department of Natural Resources has  
68.16 determined that the state's land management interests would best be served if the land was  
68.17 conveyed to a local unit of government.

68.18        Sec. 17. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
68.19 **WATER; GOODHUE COUNTY.**

68.20           (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
68.21 commissioner of natural resources may sell by private sale the surplus land bordering  
68.22 public water that is described in paragraph (c).

68.23           (b) The conveyance must be in a form approved by the attorney general. The  
68.24 attorney general may make necessary changes to the legal description to correct errors and  
68.25 ensure accuracy. The conveyance must include the easement specified in paragraph (c).

68.26 The purpose of the easement is to:

68.27           (1) provide for the development of fish habitat, including tree planting, erosion  
68.28 control, installation of instream structures, posting of signs, and other improvements;

68.29           (2) permit angling by the public; and

68.30           (3) provide ingress and egress through the property sold to the easement area.

68.31           (c) The land that may be sold is located in Goodhue County and is described as:  
68.32 that part of the Southwest Quarter of the Northeast Quarter and that part of the Northwest  
68.33 Quarter of the Southeast Quarter of Section 7, Township 112, Range 15, Goodhue County,  
68.34 Minnesota, which lie westerly of the centerline of County State-Aid Highway No. 6,  
68.35 containing 2.6 acres, more or less.

Reserving an easement over, under, and across that part of the above described property located within a strip of land 132 feet in width, and centered on the centerline of Spring Creek, as the same meanders through said Southwest Quarter of the Northeast Quarter and said Northwest Quarter of the Southeast Quarter.

(d) The land borders Spring Creek. The Department of Natural Resources has determined that the land is not needed for natural resource purposes provided that an easement right is retained. The land is separated from the wildlife management area by a county road and has been subject to inadvertent trespass by the adjacent landowner.

Sec. 18. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell to a local unit of government by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell to a local unit of government for less than the value of the land, as determined by the commissioner, but the conveyance must provide that the land be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land.

(c) The land that may be sold is located in Hennepin County and is described as: Outlot A, Block 1, Schendel Woods, Hennepin County, Minnesota, according to the recorded plat thereof, containing 13.92 acres, more or less.

(d) The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to a local unit of government. A local unit of government would like to use this parcel for a storm water runoff project.

Sec. 19. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may convey to the city of Cohasset for consideration as determined by Itasca County the land described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Cohasset fails to provide for the public use

described in paragraph (d) or abandons the public use of the land. As a condition of conveyance, the city of Cohasset must provide to Itasca County a survey of the property, at no cost to Itasca County. The conveyance is subject to easements, restrictions, and reservations of record. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Itasca County and is described as: that part of Government Lot 7, Section 23, Township 55 North, Range 26 West, described as follows:

Commencing at the southwest corner of the Northwest Quarter of the Southwest Quarter, Section 23, Township 55 North, Range 26 West; thence South 88 degrees 02 minutes 11 seconds East, along the south line of said Northwest Quarter of Southwest Quarter and the south line of Government Lot 7 according to the plat of HILLCREST PARK, 1,351.90 feet to the centerline of the Tioga Beach Road and the point of beginning; thence northerly along the centerline of the Tioga Beach Road 123.51 feet along a nontangential curve concave to the East, said curve having a central angle of 12 degrees 08 minutes 28 seconds, radius of 582.87 feet, a chord bearing of North 07 degrees 35 minutes 37 seconds West, chord distance 123.28 feet; thence North 01 degrees 31 minutes 24 seconds West, along the centerline of the Tioga Beach Road 167.83 feet; thence northerly along the centerline of the Tioga Beach Road 139.95 feet along a tangential curve concave to the West, said curve having a central angle of 11 degrees 26 minutes 28 seconds, radius of 700.85 feet; thence North 12 degrees 57 minutes 52 seconds West, along the centerline of the Tioga Beach Road 174.21 feet; thence northerly along the centerline of the Tioga Beach Road 70.93 feet, more or less, along a tangential curve concave to the East, said curve having a central angle of 08 degrees 46 minutes 30 seconds, radius of 463.14 feet to intersect the north line of the South 665.00 feet of Government Lot 7; thence South 88 degrees 02 minutes 11 seconds East along the north line of the South 665.00 feet of said Government Lot 7, a distance of 512.74 feet; thence South 65 degrees 39 minutes 08 seconds East, 184 feet, more or less, to the waters edge of Pokegama Lake; thence southwesterly along the waters edge of Pokegama Lake to intersect the south line of said Government Lot 7; thence North 88 degrees 02 minutes 11 seconds West, along the south line of Government Lot 7, 220 feet, more or less, to the point of the beginning and there terminating. Parcel contains approximately 690 front feet of shoreland on Pokegama Lake and 6.8 acres.

(d) The county has determined that the county's land management interests would be best served if the lands are managed for a public beach and other public recreational purposes by the city of Cohasset.

71.1       Sec. 20. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
71.2 **WATER; MAHNOMEN COUNTY.**

71.3           (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
71.4 1, and the public sale provisions of Minnesota Statutes, chapter 282, Mahnomen County  
71.5 may sell by private sale the tax-forfeited land bordering public water that is described in  
71.6 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

71.7           (b) The conveyance must be in a form approved by the attorney general. The attorney  
71.8 general may make changes to the land description to correct errors and ensure accuracy.  
71.9 The conveyance must include a deed restriction that prohibits buildings, structures, tree  
71.10 cutting, removal of vegetation, and shoreland alterations within an area 75 feet from the  
71.11 ordinary high water level. A 15-foot strip for lake access and a dock is allowed.

71.12           (c) The land to be sold is located in Mahnomen County and is described as:  
71.13 Beginning at the northeast corner of Lot 1; thence 28 rods West to the point of  
71.14 beginning; thence West 7 rods; thence South to the shoreline of North Twin Lake 9 rods,  
71.15 more or less; thence southeast on the shoreline to a point South of the point of beginning;  
71.16 thence North 16 rods, more or less, to the point of beginning, all in Section 29, Township  
71.17 144 North, Range 39 West (parcel number R16 029 0200).

71.18           (d) The county has determined that the county's land management interests would  
71.19 best be served if the lands were returned to private ownership.

71.20       Sec. 21. **PRIVATE SALE OF SURPLUS STATE LAND; MARTIN COUNTY.**

71.21           (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner  
71.22 of natural resources may sell by private sale the surplus land that is described in paragraph  
71.23 (c).

71.24           (b) The conveyance must be in a form approved by the attorney general. The  
71.25 attorney general may make necessary changes to the legal description to correct errors  
71.26 and ensure accuracy.

71.27           (c) The land that may be sold is located in Martin County and is described as: the  
71.28 North 700 feet of a strip of land 100 feet in width extending over and across the West Half  
71.29 of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section  
71.30 25, Township 101 North, Range 32 West, Martin County, Minnesota. The centerline of  
71.31 said strip being the centerline of the main track (now removed) of the Minnesota and Iowa  
71.32 Railway Company, as said centerline was originally located and established over and  
71.33 across said Section 25. This parcel contains 1.6 acres, more or less.

71.34           (d) The Department of Natural Resources has determined that the land is not needed  
71.35 for natural resource purposes and that the state's land management interests would best

72.1 be served if the land were conveyed to the adjacent landowner to improve access to the  
72.2 landowner's property.

72.3       Sec. 22. **EXCHANGE OF STATE LAND WITHIN LAKE MARIA WILDLIFE**  
72.4 **MANAGEMENT AREA; MURRAY COUNTY.**

72.5       (a) The commissioner of natural resources may, with the approval of the Land  
72.6 Exchange Board as required under the Minnesota Constitution, article XI, section 10, and  
72.7 according to the provisions of Minnesota Statutes, sections 94.343 to 94.347, exchange  
72.8 the land described in paragraph (b).

72.9       (b) The land that may be exchanged is located in Murray County and is described as:

72.10       (1) the North 866 feet of the South 1555 feet of the Southwest Quarter of Section 7,  
72.11 Township 108, Range 41, lying West of the East 450 feet thereof;

72.12       (2) the South 689 feet of the Southwest Quarter of Section 7, Township 108, Range  
72.13 41; and

72.14       (3) that part of the Northeast Quarter of Section 18, Township 108, Range 41,  
72.15 described as follows: Commencing at the northwest corner of said Section 7, Township  
72.16 108, Range 41; thence running easterly along the north line of said Section 7 a distance of  
72.17 2,769.50 feet to the intersection with the centerline of the township road; thence southerly  
72.18 along the centerline of said township road a distance of 2,653.75 feet; thence deflecting  
72.19 00 degrees 31 minutes right and continuing along the centerline of said township road a  
72.20 distance of 2,051.75 feet; thence easterly and parallel to the south line of the Southwest  
72.21 Quarter of the Southeast Quarter of said Section 7, a distance of 464 feet; thence South  
72.22 and parallel to the west line of the Northeast Quarter of said Section 18, a distance of  
72.23 3,198.00 feet, to the south line of the Northeast Quarter of said Section 18, and the point  
72.24 of beginning of the land to be described; thence return northerly, along the last described  
72.25 course, a distance of 2,635 feet to the north line of said Northeast Quarter; thence  
72.26 southwesterly, a distance of 999 feet, to a point on the west line of said Northeast Quarter,  
72.27 distant 421.5 feet South of the northwest corner of said Northeast Quarter, thence South  
72.28 along said west line, to the southwest corner of said Northeast Quarter; thence East, along  
72.29 the south line of said Northeast Quarter, a distance of 910 feet to the point of beginning.

72.30       (c) The land was acquired in part with bonding appropriations. The exchange  
72.31 with the adjacent landowner will provide additional wildlife acres and additional water  
72.32 frontage to the state.

72.33       Sec. 23. **CONVEYANCE OF SURPLUS STATE LAND; ACQUISITION;**  
72.34 **NICOLLET COUNTY.**



Subdivision 1. **Conveyance of surplus land.** (a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, the commissioner of administration may upon recommendation of the commissioner of human services, convey to the city of St. Peter for no consideration the surplus land or any state interest in land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. The commissioner of administration may grant utility easements for no consideration in conjunction with the conveyances under this section.

(c) The land to be sold is located in Nicollet County and is described as:

(1) all that part of the following described parcel lying westerly of the westerly right-of-way of Freeman Drive, formerly the Saint Peter and Belgrade Road.

Said parcel described as follows:

That part of Government Lot 6 in Section 29, Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota, described as:

Commencing at the northeast corner of said Section 29; thence South 00 degrees 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet to the point of beginning; thence South 64 degrees 37 minutes 16 seconds East, a distance of 178.6 feet, more or less, to the centerline of Freeman Drive, formerly the Saint Peter and Belgrade Road; thence northeasterly, on said centerline, a distance of 98.3 feet, more or less, to the north line of said Government Lot 6; thence South 89 degrees 30 minutes 18 seconds West, on said north line; a distance of 220.5 feet, more or less, to the point of beginning;

(2) all that part of the following described parcel lying easterly of the westerly right-of-way of Freeman Drive, formerly the Saint Peter and Belgrade Road.

Said parcel described as follows:

That part of Government Lot 6 in Section 29, Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota, described as:

Commencing at the northeast corner of said Section 29; thence South 00 degrees 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet to the point of beginning; thence South 64 degrees 37 minutes 16 seconds East, a distance of 178.6 feet,

74.1 more or less, to the centerline of Freeman Drive, formerly the Saint Peter and Belgrade  
74.2 Road; thence northeasterly, on said centerline, a distance of 98.3 feet, more or less, to the  
74.3 north line of said Government Lot 6; thence South 89 degrees 30 minutes 18 seconds West,  
74.4 on said north line; a distance of 220.5 feet, more or less, to the point of beginning; and

74.5 (3) that part of the East 25.00 of a 150.00 foot wide railroad right-of-way acquired  
74.6 in Book R page 338, in the Northeast Quarter of the Northeast Quarter of Section 29,  
74.7 Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota,  
74.8 lying South of the southerly right-of-way line of Minnesota Trunk Highway No. 99, per  
74.9 MN/DOT Right-of-Way Map 31-68 and North of the following described line:

74.10 Commencing at the northeast corner of said Section 29; thence South 00 degrees 29  
74.11 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a  
74.12 distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast  
74.13 Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said  
74.14 Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet; thence North 64  
74.15 degrees 37 minutes 16 seconds West, a distance of 86.15 feet; thence northwesterly 127.21  
74.16 feet on a tangential curve to the right, having a radius of 280.00 feet and a central angle of  
74.17 26 degrees 01 minutes 59 seconds to the point of beginning of the line to be described;  
74.18 thence continuing northwesterly 31.24 feet on said tangential curve to the right, having  
74.19 a radius of 280.00 feet and a central angle of 06 degrees 23 minutes 34 seconds and  
74.20 there terminating.

74.21 (d) The commissioner has determined that the land is no longer needed for any state  
74.22 purpose and that the state's land management interests would best be served if the land  
74.23 was conveyed to and used by the city of St. Peter.

74.24 Subd. 2. **Acquisition authority.** (a) Notwithstanding any law to the contrary, the  
74.25 commissioner of administration, upon recommendation of the commissioner of human  
74.26 services, may acquire from the city of St. Peter, without monetary consideration, land  
74.27 located in Nicollet County, described as follows:

74.28 (1) that part of the Northeast Quarter of the Northeast Quarter of Section 29,  
74.29 Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota:

74.30 Lying East of the east line of the 150.007 foot wide railroad right-of-way acquired in  
74.31 Book R page 338, in said Northeast Quarter of the Northeast Quarter of Section 29;

74.32 AND

74.33 Lying South of the following described line:

74.34 Commencing at the northeast corner of said Section 29; thence South 00 degrees  
74.35 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast  
74.36 Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said

Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet to the point of beginning; thence North 64 degrees 37 minutes 16 seconds West, a distance of 86.15 feet; thence northwesterly 127.21 feet on a tangential curve to the right, having a radius of 280.00 feet and a central angle of 26 degrees 01 minutes 51 seconds to the point of termination. Said point of termination being on the east line of the previously referenced railroad right-of-way and there terminating; and

(2) that part of Government Lot 6 in Section 29, Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota described as:

Commencing at the northeast corner of said Section 29; thence South 00 degrees 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet; thence South 64 degrees 37 minutes 16 seconds East, a distance of 179 feet, more or less, to the centerline of Freeman Drive, formerly the Saint Peter and Belgrade Road, and the point of beginning; thence continuing South 64 degrees 37 minutes 16 seconds East, a distance of 25.8 feet, more or less, to the existing right-of-way of U.S. Highway No. 169, per Map 14-80; thence southwesterly along said right-of-way a distance of 91.7 feet, more or less, to the northerly line of a parcel recorded as Document No. 274882, Nicollet County records; thence northwesterly along the northerly line of said parcel a distance of 27.5 feet, more or less, to the centerline of said Freeman Drive; thence northeasterly along said centerline a distance of 93.2 feet, more or less, to the point of beginning.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to legal descriptions to correct errors and ensure accuracy.

**Sec. 24. CONVEYANCE OF SURPLUS STATE LAND; OLMSTED COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources shall convey to the city of Oronoco for no consideration the surplus land that is described in paragraph (c).

(b) The conveyance shall occur upon the operation of the reversion clause contained in the deed for the land described in paragraph (c) in accordance with Minnesota Statutes 1965, section 85.188, and after the passage of resolutions by the Olmsted County Board and the Oronoco City Council, each acknowledging that the requirements set forth in the Agreement for Transfer of Oronoco Park in the City of Oronoco to the City of Oronoco

by Olmsted County have been sufficiently met to proceed with the conveyance. The conveyance must be in a form approved by the attorney general, the Olmsted County Board, and the Oronoco City Council. The conveyance must provide that the land reverts to the state if the city of Oronoco fails to maintain and operate the land as a public park. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Olmsted County and is described as:

(1) the East Half of the West Half of the Southeast Quarter of the Southeast Quarter, Section 7, Township 108 North, Range 14 West, subject to flowage rights in favor of Olmsted County; and

(2) the East Half of the Southeast Quarter of the Southeast Quarter, Section 7, Township 108 North, Range 14 West.

(d) The land is currently owned by Olmsted County and used as a public park, having been conveyed by the state according to Laws 1965, chapter 810, section 9. The 1965 law and the corresponding conveyance document require reversion to the state if the county stops operating the land as a public park. Olmsted County no longer wishes to operate the public park, but the city of Oronoco has agreed to pay consideration to Olmsted County to continue the park operation. The commissioner has determined that the state's land management interests would best be served if, upon the land's reversion to the state, the land was conveyed to and used by the city of Oronoco as a public park.

Sec. 25. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Roseau County and is described as: Government Lot 9, Section 30, Township 163 North, Range 36 West, containing 0.15 acres, more or less.

(d) The land borders the Warroad River and is not contiguous to other state lands. The Department of Natural Resources has determined that the land is not needed for natural resource purposes.

77.1       Sec. 26. **PUBLIC OR PRIVATE SALE OF CONSOLIDATED CONSERVATION**  
77.2 **LAND; ROSEAU COUNTY.**

77.3       (a) Notwithstanding the classification and public sale provisions of Minnesota  
77.4 Statutes, chapters 84A and 282, Roseau County may sell by public or private sale the  
77.5 consolidated conservation lands that are described in paragraph (c).

77.6       (b) The conveyance must be in a form approved by the attorney general. The  
77.7 attorney general may make necessary changes to the legal description to correct errors  
77.8 and ensure accuracy. The consideration for the conveyance must be for no less than the  
77.9 appraised value of the land and timber and survey costs. Proceeds shall be disposed of  
77.10 according to Minnesota Statutes, chapter 84A.

77.11       (c) The land that may be sold is located in Roseau County and is described as:

77.12       (1) that part of Government Lot 1, Section 4, Township 162 North, Range 36 West,  
77.13 lying southwesterly of the southwesterly right-of-way of the Canadian National Railway.  
77.14 Subject to the right-of-way of State Highway 11. Contains 0.75 acres, more or less; and

77.15       (2) the South Half of the South Half of the Southeast Quarter of the Northwest  
77.16 Quarter, Section 34, Township 159 North, Range 39 West, containing 10 acres, more or  
77.17 less.

77.18       (d) The lands are not contiguous to other state lands. The Department of Natural  
77.19 Resources has determined that the land is not needed for natural resource purposes.

77.20       Sec. 27. **PRIVATE SALE OF TAX-FORFEITED LAND; ROSEAU COUNTY.**

77.21       (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,  
77.22 or other law to the contrary, Roseau County may sell by private sale the tax-forfeited  
77.23 land described in paragraph (c) under the remaining provisions of Minnesota Statutes,  
77.24 chapter 282.

77.25       (b) The conveyance must be in a form approved by the attorney general. The attorney  
77.26 general may make changes to the land description to correct errors and ensure accuracy.

77.27       (c) The land to be sold is located in Roseau County and is described as: the  
77.28 Northwest Quarter of the Northeast Quarter and the Southeast Quarter of the Southeast  
77.29 Quarter, Section 20, Township 163, Range 36.

77.30       (d) The county has determined that the county's land management interests would  
77.31 best be served if the lands were returned to private ownership.

77.32       Sec. 28. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is adjacent to a parcel described as: that part of the Northeast Quarter of the Southwest Quarter beginning on the east line at the southerly road right-of-way; thence southerly along the east line 760.07 feet; thence South 89 degrees 3 minutes 23 seconds West 290 feet; thence North 1 degree 12 minutes 54 seconds East 764.79 feet; thence East along the southerly road right-of-way 290 feet to the point of beginning, Section 20, Township 58 North, Range 15 West. St. Louis County shall sell an adjoining amount of land, determined by the county to rectify an inadvertent trespass. The sale will ensure that the buildings causing the inadvertent trespass will meet all setback requirements.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 29. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lot 90, Block 75, Duluth Proper Third Division, except the West six feet of the South 50 feet of the West Half, Section 28, Township 50 North, Range 14 West;

(2) the northerly 100 feet of the Southwest Quarter of the Southwest Quarter, except the westerly 233 feet, and except the easterly 50 feet of the westerly 283 feet, Section 14, Township 51 North, Range 13 West;

(3) the South 150 feet of the Northeast Quarter of the Southeast Quarter, Section 5, Township 55 North, Range 18 West;

(4) the West 33 feet of the North 208 feet of the South 1,040 feet of the Northwest Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

(5) the North 36 feet of the North 1,076 feet of the West 449 feet of the Northwest Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

(6) the West 33 feet of the North 208 feet of the South 832 feet of the Northwest Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

(7) the West 33 feet of the North 208 feet of the South 624 feet of the Northwest Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

(8) the West 33 feet of the South 416 feet of the Northwest Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West; and

(9) part of the South Half of the Southwest Quarter, Section 20, Township 58 North, Range 15 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 30. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lot 4, Block 4, Greenwood Beach, town of Duluth, Section 19, Township 51 North, Range 19 West;

(2) beginning at the southwest corner of Lot 4, running thence East 450 feet; thence North 200 feet; thence West 450 feet; thence South along the section line 200 feet to the point of beginning, except the northerly 40 feet, Section 7, Township 54 North, Range 19 West;

(3) the South 560 feet of the East 300 feet of the Northeast Quarter of the Southeast Quarter, except the highway right-of-way and except the North 315 feet, Section 22, Township 61 North, Range 20 West;

(4) an undivided 1/24 interest in the Southeast Quarter of the Northwest Quarter, Section 8, Township 50 North, Range 18 West;

(5) an undivided 2/15 interest in the Southwest Quarter of the Northwest Quarter, Section 20, Township 50 North, Range 18 West;

(6) an undivided 1/3 interest in the Southwest Quarter of the Southeast Quarter, Section 21, Township 50 North, Range 18 West;

80.1           (7) an undivided 1/45 interest in the Northeast Quarter of the Southeast Quarter,  
80.2           Section 29, Township 50 North, Range 18 West;

80.3           (8) an undivided 1/12 interest in the Northeast Quarter of the Northwest Quarter,  
80.4           Section 25, Township 50 North, Range 19 West;

80.5           (9) an undivided 1/12 interest in the Southeast Quarter of the Northwest Quarter,  
80.6           Section 25, Township 50 North, Range 19 West;

80.7           (10) an undivided 1369/68040 interest in Lot 8, except the railway right-of-way,  
80.8           Section 28, Township 51 North, Range 18 West; and

80.9           (11) that part of the Southeast Quarter of the Northeast Quarter of Section 10,  
80.10          Township 63 North, Range 18 West, St. Louis County, Minnesota, described as follows:

80.11          Assuming the northeast line of Lot 9 in the plat of MANNIKKO (PINE RIDGE) to  
80.12          bear North 54 degrees 11 minutes 00 seconds West, and COMMENCING from the most  
80.13          northerly corner of said Lot 9 run North 28 degrees 12 minutes 30 seconds East, a distance  
80.14          of 107.39 feet; thence South 28 degrees 12 minutes 30 seconds West, a distance of 28.19  
80.15          feet; thence South 86 degrees 24 minutes 10 seconds West, a distance of 82.17 feet; thence  
80.16          South 77 degrees 07 minutes 31 seconds West, a distance of 77.70 feet; thence South 82  
80.17          degrees 40 minutes 33 seconds West, a distance of 83.09 feet; thence South 71 degrees 26  
80.18          minutes 45 seconds West, a distance of 190.55 feet; thence North 70 degrees 55 minutes  
80.19          26 seconds West, a distance of 76.14 feet to a point on a nontangential curve, the center  
80.20          of which bears North 35 degrees 10 minutes 49 seconds West, being also a point on the  
80.21          east right-of-way of "Phillips Road" as it exists in January of 1995; thence northerly along  
80.22          said east right-of-way, on said nontangential curve, concave to the West, central angle of  
80.23          88 degrees 57 minutes 37 seconds, radius of 90.00 feet, a distance of 139.74 feet; thence  
80.24          North 34 degrees 08 minutes 26 seconds west, along said east right-of-way, a distance of  
80.25          105.00 feet to a tangential curve; thence northerly along said east right-of-way on said  
80.26          tangential curve, concave to the East, central angle 69 degrees 38 minutes 31 seconds,  
80.27          radius 68.00 feet, a distance of 82.65 feet to a point of reverse curve; thence northerly  
80.28          along said east right-of-way, on said reverse curve, concave to the West, central angle of  
80.29          18 degrees, more or less, radius of 116.25 feet, a distance of 36.5 feet, more or less, to  
80.30          the south line of said Southeast Quarter of the Northeast Quarter and the POINT OF  
80.31          BEGINNING of the land being described; thence northerly, continuing along said curve, a  
80.32          distance of 96.2 feet; thence North 29 degrees 54 minutes 20 seconds West, tangent to said  
80.33          curve and along said east right-of-way, a distance of 16.32 feet; thence South 89 degrees  
80.34          42 minutes 44 seconds East, a distance of 943.3 feet, more or less, to the east line of  
80.35          said Southeast Quarter of the Northeast Quarter; thence southerly, along said east line, a  
80.36          distance of 30 feet, more or less, to the shore of Lake Vermilion; thence southerly, along



81.1 said shore, a distance of 100 feet, more or less, to the south line of said Southeast Quarter  
81.2 of the Northeast Quarter; thence westerly, along said south line, a distance of 880 feet,  
81.3 more or less, to the POINT OF BEGINNING. Containing 2.5 acres, more or less.

81.4 (d) The county has determined that the county's land management interests would  
81.5 best be served if the lands were returned to private ownership.

81.6 Sec. 31. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
81.7 **WATER; ST. LOUIS COUNTY.**

81.8 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
81.9 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County  
81.10 may sell by private sale the tax-forfeited land bordering public water that is described in  
81.11 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

81.12 (b) The conveyances must be in a form approved by the attorney general. The  
81.13 attorney general may make changes to the land descriptions to correct errors and  
81.14 ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent  
81.15 conservation easements according to Minnesota Statutes, section 282.37. The easements  
81.16 shall be up to 200 feet in width, lying 100 feet, to the extent possible given the location  
81.17 of property lines, on each side of the centerline of the designated trout stream to provide  
81.18 riparian protection and angler access.

81.19 (c) The land to be sold is located in St. Louis County and is described as:

81.20 (1) Lot 22, Block 1, Wonderland 1st Addition, town of Duluth, except the highway  
81.21 right-of-way and including part of the adjacent vacated road, Section 17, Township 51  
81.22 North, Range 12 West; and

81.23 (2) that part of the southerly 135 feet of the northerly 543 feet of the Northwest  
81.24 Quarter of the Southwest Quarter lying East of the westerly 968 feet and West of the  
81.25 Sucker River, Section 30, Township 52 North, Range 12 West.

81.26 (d) The county has determined that the county's land management interests would  
81.27 best be served if the lands were returned to private ownership.

81.28 Sec. 32. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
81.29 **WATER; ST. LOUIS COUNTY.**

81.30 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,  
81.31 St. Louis County may sell the tax-forfeited land bordering public water that is described  
81.32 in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

82.1            (b) The conveyances must be in a form approved by the attorney general. The  
82.2 attorney general may make changes to the land descriptions to correct errors and ensure  
82.3 accuracy.

82.4            (c) The land to be sold is located in St. Louis County and is described as:

82.5            (1) the East Half of the Northwest Quarter of the Northeast Quarter of the Northwest  
82.6 Quarter, Section 25, Township 51 North, Range 14 West, subject to an existing easement;

82.7            (2) the North 407 feet of that part of Lot 4 lying South of the east and west centerline  
82.8 of Section 20, Section 20, Township 51 North, Range 16 West;

82.9            (3) Lots 1, 2, and 3, Childs Birch Grove Tracts, Grand Lake, Section 20, Township  
82.10 51 North, Range 16 West;

82.11            (4) Lots 28 and 29, Briar Lake Shores 3rd Addition, North Star, Section 15,  
82.12 Township 53 North, Range 13 West; and

82.13            (5) the East Half of the Southeast Quarter of the Northwest Quarter, Section 26,  
82.14 Township 60 North, Range 17 West.

82.15            (d) The county has determined that the county's land management interests would  
82.16 best be served if the lands were returned to private ownership.

82.17            Sec. 33. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
82.18 **WATER; ST. LOUIS COUNTY.**

82.19            (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,  
82.20 St. Louis County may sell the tax-forfeited land bordering public water that is described  
82.21 in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

82.22            (b) The conveyances must be in a form approved by the attorney general. The  
82.23 attorney general may make changes to the land descriptions to correct errors and  
82.24 ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent  
82.25 conservation easements according to Minnesota Statutes, section 282.37. The easements  
82.26 shall be up to 200 feet in width, lying 100 feet, to the extent possible given the location  
82.27 of property lines, on each side of the centerline of the designated trout stream to provide  
82.28 riparian protection and angler access. For the parcels described in paragraph (c), clauses  
82.29 (6) and (7), a 33-foot strip across the easement shall be allowed for road access and utilities.

82.30            (c) The land to be sold is located in St. Louis County and is described as:

82.31            (1) the Southwest Quarter of the Southeast Quarter, except 4.56 acres for a road and  
82.32 except that part lying South and West of Highway 2, Section 8, Township 50 North,  
82.33 Range 16 West;

(2) the East Half of the Northeast Quarter of the Northwest Quarter, except the railway right-of-way and except the highway right-of-way, Section 17, Township 51 North, Range 12 West;

(3) the West Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter, Section 25, Township 51 North, Range 14 West;

(4) the West Half of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter, Section 25, Township 51 North, Range 14 West;

(5) the West five acres of the South 15 acres of the North 30 acres of the Northeast Quarter of the Southeast Quarter, Section 27, Township 51 North, Range 14 West;

(6) the East Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter, Section 27, Township 51 North, Range 14 West; and

(7) the East Half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter, except the West 25 feet, Section 27, Township 51 North, Range 14 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 34. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37. The easements shall be 150 feet in width, lying 75 feet on each side of the centerline of the stream to provide riparian protection and angler access. For the parcel described in paragraph (c), clause (4), a 33-foot strip across the easement shall be allowed for road access and utilities.

(c) The land to be sold is located in St. Louis County and is described as:

(1) the Northwest Quarter of the Southeast Quarter, except the North Half, Section 15, Township 50 North, Range 15 West;

(2) the Southeast Quarter of the Northeast Quarter, Section 19, Township 53 North, Range 20 West;

(3) the westerly 330 feet of the South Half of the Northwest Quarter of the Southwest Quarter, Section 11, Township 56 North, Range 20 West; and

(4) the Southwest Quarter of the Southwest Quarter, except the South Half of the Southwest Quarter of the Southwest Quarter and except the North ten acres, Section 34, Township 50 North, Range 15 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 35. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37. For the parcel described in paragraph (c), clause (1), the easement must be 100 feet in width from the centerline of the designated trout stream to provide riparian protection and angler access. For the parcel described in paragraph (c), clause (2), the easement must be 200 feet in width from the centerline of the stream to provide riparian protection and angler access.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lots 511 through 515, Homecroft Park, town of Rice Lake, Section 34, Township 51 North, Range 14 West; and

(2) that part of the Lot 2 lying East of a line parallel with and 150 feet East of the centerline of the Duluth, Missabe and Iron Range Railway, Section 17, Township 51 North, Range 17 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 36. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. The conveyance must include a deed restriction that prohibits buildings, structures, tree

cutting, removal of vegetation, and shoreland alterations within an area 100 feet in width, lying 50 feet on each side of the centerline of streams that are tributaries to the Sand River.

(c) The land to be sold is located in St. Louis County and is described as: the North 416 feet of the East 416 feet of the Southwest Quarter of the Southwest Quarter, Section 10, Township 59 North, Range 17 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 37. PRIVATE SALE OF SURPLUS STATE LAND; WASHINGTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell to a political subdivision by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Washington County and is described as:

(1) that part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 32, Range 21, lying South of the centerline of Highway 97; and

(2) that part of the Southwest Quarter of Section 19, Township 32 North, Range 21 West, Washington County, Minnesota, described as follows: beginning at the southwest corner of said Southwest Quarter; thence on an assumed bearing of South 89 degrees 50 minutes 33 seconds East along the south line of said Southwest Quarter 1555.59 feet; thence North 11 degrees 40 minutes 58 seconds East 720.70 feet; thence North 53 degrees 20 minutes 40 seconds West 436.77 feet; thence North 45 degrees 10 minutes 18 seconds West 222.72 feet to the southerly boundary of the recorded plat of BASSWOOD ESTATES, on file and of record in the Office of the County Recorder; thence westerly along the southerly boundary of said BASSWOOD ESTATES to the southwesterly corner thereof; thence northerly along the westerly boundary of said BASSWOOD ESTATES to the most northerly corner of Lot 2 of Block 3 of said BASSWOOD ESTATES; thence westerly to a point on the west line of said Southwest Quarter 407.50 feet southerly of the northwest corner of said Southwest Quarter; thence South 00 degrees 23 minutes 19 seconds East along the west line of said Southwest Quarter 2238.63 feet to the point of beginning.

These parcels contain 57.2 acres, more or less.

(d) The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to a political subdivision. A political subdivision would like to use these parcels as wetland mitigation sites.

(e) This sale is the result of the intent expressed by of the city of Columbus and Anoka County to allow the commissioner of natural resources to replace the approximately 57 acres of land with land adjacent to the Carlos Avery Wildlife Management Area from willing sellers as identified in the November 19, 2007, Department of Natural Resources' land acquisition plan.

Sec. 38. **PRIVATE SALE OF SURPLUS STATE LAND; WASHINGTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Washington County and is described as: the West 750 feet of the East 1,130.6 feet of the North 786.72 feet of the Northwest Quarter of the Northeast Quarter of Section 15, Township 29 North, Range 20 West, containing 13.5 acres, more or less.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes. The state's land management interests would best be served if the land was sold to an adjacent landowner, as the property described in paragraph (c) does not have legal access to a public road.

Sec. 39. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WASHINGTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Washington County may sell by private sale or convey for no consideration to the United States of America, acting through the United States National Park Service, Department of the Interior, the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Washington County and is described as:

(1) Parcel A (PIN 29.031.19.22.0001): Section 29, Township 31, Range 19, Government Lot 5;

(2) Parcel B (PIN 20.031.19.22.0001): Section 20, Township 31, Range 19, Government Lot 5;

(3) Parcel C (PIN 17.031.19.32.0001): Section 17, Township 31, Range 19, Government Lot 4;

(4) Parcel D (PIN 18.032.19.11.0001): Section 18, Township 32, Range 19, Government Lot 2; and

(5) Parcel E (PIN 18.032.19.14.0001): Section 18, Township 32, Range 19, Government Lot 3.

(d) The county has determined that the county's land management interests would best be served if the lands were sold or conveyed to the United States of America and managed by the National Park Service.

**Sec. 40. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WASHINGTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Washington County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Washington County and is described as: Parcel A (PIN 09.032.21.43.0070): Lot 8, Block 3, excepting therefrom the East 200 feet thereof of Skoglund's Park Addition, as surveyed and platted and now on file and of record in the Office of the Registrar of Titles of said County of Washington, State of Minnesota.

(d) The sale would be to an adjacent landowner and the Department of Natural Resources has determined that the land is not appropriate for the department to manage. The county may split the parcel described in paragraph (c), as allowed in Minnesota Statutes, section 282.01, and sell the resulting parcels if the county finds a split to be advantageous for the purpose of sale.

88.1       Sec. 41. **CONVEYANCE OF DRAINAGE DISTRICT LAND; WINONA**  
88.2 **COUNTY.**

88.3       The Rushford Area Drainage and Conservancy District, established by order of  
88.4 the Tenth Judicial District Court on February 20, 1953, was terminated on January 1,  
88.5 1988, by Laws 1987, chapter 239, section 140. The land that was owned by the Rushford  
88.6 Area Drainage and Conservancy District in Winona County is now owned by the state  
88.7 of Minnesota and is hereby transferred to the commissioner of natural resources for  
88.8 administration and management for conservation purposes.

88.9       Sec. 42. **DEPOSIT OF PROCEEDS.**

88.10       Notwithstanding Minnesota Statutes, section 97A.055, subdivision 1, the proceeds  
88.11 resulting from the 2010 sale of a transportation road easement on the Lamprey Pass  
88.12 Wildlife Management Area to construct a road overpass on County Road 83 in Washington  
88.13 County shall be deposited in the land acquisition account, established under Minnesota  
88.14 Statutes, section 94.165.

88.15       Sec. 43. **EFFECTIVE DATE.**

88.16       Sections 10 to 41 are effective the day following final enactment.



APPENDIX  
Article locations in s2900-3

ARTICLE 1	GAME AND FISH .....	Page.Ln 2.17
ARTICLE 2	NATURAL RESOURCES POLICY .....	Page.Ln 36.11
ARTICLE 3	STATE LANDS .....	Page.Ln 55.16